

Montgomery County Planning Board

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

DATE MAILED:

February 20, 2026

MCPB No. 26-06
Preliminary Plan Amendment No. 12012008H
Shady Grove Station
Date of Hearing: January 29, 2026

RESOLUTION

WHEREAS, under Montgomery County Code Chapter 50, the Montgomery County Planning Board is authorized to review preliminary plan applications; and

WHEREAS, on September 11, 2012, the Planning Board, by Resolution MCPB No. 12-89, approved Preliminary Plan No. 120120080, creating 752 townhouse lots, 1,458 multi-family residential units, 1,828 square feet of retail and 131,422 square feet of office development on 90.34 acres of land in the TOMX-2/TDR Zone, located along Crabbs Branch Way, south of Shady Grove Road ("Subject Property"), in the Shady Grove Metro Station Policy Area and the 2006 *Shady Grove Sector Plan* ("Sector Plan") area; and

WHEREAS, on April 23, 2014, the Planning Board approved Preliminary Plan Amendment No. 12012008A (MCPB No. 14-22), which permitted execution of the required Traffic Mitigation Agreement ("TMAg") at building permit and allowed modifications to the cross-sections of certain roads as part of the development of the Subject Property; and

WHEREAS, on November 3, 2014, the Planning Board approved Preliminary Plan Amendment No. 12012008B (MCPB No. 14-96), which permitted the modification to alley pavement widths from 20 feet to 18 feet; landscaping in alleys and deeper decks for residential units with a deck option; adjustments to lot lines; and modifications to the location of Moderately Priced Housing Units and Workforce Housing units on the Subject Property; and

WHEREAS, on May 7, 2015, the Planning Board approved Preliminary Plan Amendment No. 12012008C (MCPB No. 15-48), to permit a separate TMAg applicable to each phase covered within a specific Site Plan for the various phases of the approved Shady Grove Station development on the Subject Property; and

WHEREAS, on November 30, 2017, the Planning Board approved Preliminary Plan Amendment No. 12012008D (MCPB No. 17-103), to replace the unbuilt 131,422 square feet of office use with up to 43,000 square feet of general retail space on the Subject Property; and

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Approved as to
Legal Sufficiency: /s/ Matthew Mills
M-NCPPC Legal Department

WHEREAS, on February 25, 2019, the Planning Board approved Preliminary Plan Amendment No. 12012008E (MCPB No. 19-009), to replace one (1) multi-family lot and 752 townhouse lots with 751 townhouse lots and 50 two-over-two townhouse lots on the Subject Property; and

WHEREAS, on October 1, 2020, the Planning Board approved Preliminary Plan Amendment No. 12012008F (MCPB No. 20-092) to add 7,268 square feet of approved office space on the Subject Property; and

WHEREAS, on October 1, 2020, the Planning Board approved Preliminary Plan Amendment No. 12012008G (MCPB No. 23-052) to modify Block R and a portion of Block T by substituting previously approved but unbuilt 24-foot-wide townhouses with 20-foot-wide townhouses; increasing the overall project density by five (5) townhouse units, from 751 units to 756 units; and modifying the lot lines for the townhouses on the Subject Property; and

WHEREAS, on October 1, 2025, EYA/CSP Associates (“Applicant”) filed an application for approval of an amendment to the previously approved preliminary plan(s) to convert 43,000 sq. ft. of approved and unbuilt retail use density into 40 townhouse units and create 40 lots on the Subject Property; and

WHEREAS, Applicant’s application to amend the preliminary plan was designated Preliminary Plan Amendment No. 12012008H, Shady Grove Block U (“Preliminary Plan,” “Amendment,” or “Application”); and

WHEREAS, the Application was submitted for concurrent review and approval with Forest Conservation Plan No. F20260080 and Site Plan No. 820260010; and

WHEREAS, following review and analysis of the Application by Planning Board staff (“Staff”) and other governmental agencies, Staff issued a memorandum to the Planning Board, dated January 16, 2026, providing its analysis and recommendation for approval of the Application, subject to certain conditions (“Staff Report”); and

WHEREAS, on January 29, 2026, the Planning Board held a public hearing on the Application and voted to approve the Application subject to conditions, on the motion of Commissioner Hedrick, seconded by Commissioner Pedoem, with a vote of 5-0; Chair Harris, Vice Chair Linden, Commissioners Bartley, Hedrick and Pedoem voting in favor.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board APPROVES Preliminary Plan Amendment No. 12012008H to convert 43,000 sq. ft. of approved and unbuilt retail use density into 40 townhouse units and create 40 lots on the Subject Property by modifying and restating in their entirety Condition Nos. 1, 2, 3 and 10, and adding Condition Nos. 38-52, as stated below:¹

Modified Conditions

1. This Preliminary Plan is limited to a maximum of 756 townhouse units on 756 lots (including 40 townhouse units on 40 lots on Block U), a maximum of 1,458 multi-family units on up to 119 lots (includes 109 lots for two-over-two units and ten (10) lots for multi-family buildings), 41,828 square feet of retail space on up to three (3) lots shared with multi-family units, a maximum of 7,268 square feet of office use shared with a multi-family building on one (1) lot. Additional lots are permitted for common areas, including parcels for private streets, clubhouses, park and school sites, and other County facilities. Ten (10) percent of the total number of residential units, excluding Moderately Priced Dwelling Units (MPDUs) or resulting MPDU bonus density units, must be Workforce Housing units, and fifteen (15) percent of the total number of residential units, excluding Workforce Housing units, must be MPDUs.
2. The Planning Board has accepted the recommendations of the Montgomery County Department of Permitting Services (“MCDPS”), Water Resources Section, in its stormwater management concept letters dated June 13, 2012, and January 8, 2026, and hereby incorporates them as conditions of the Preliminary Plan approval. The Applicant must comply with each of the recommendations in the letter, which may be amended by MCDPS provided that the amendments do not conflict with other conditions of the Preliminary Plan approval.
3. The Planning Board has accepted the recommendations of the Montgomery County Department of Transportation (“MCDOT”) in its letters dated June 13, 2012, July 20 2012, and December 11, 2025, and hereby incorporates them as conditions of the Preliminary Plan approval. The Applicant must comply with each recommendation in the letters, which MCDOT may amend, provided the amendment does not conflict with any other conditions of the Preliminary Plan approval, except that any performance guarantees necessary to ensure that the trip reduction goals under Condition #4 are maintained will be determined by subsequent site plans.
10. The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Permitting Services (“MCDPS”), Fire Department Access and Water Supply Section in its letters dated May 23, 2012 and January 21, 2026, and incorporates them as conditions of approval. The Applicant must comply with each of the recommendations in the letters, which MCDPS may amend if the amendment does not conflict with other conditions of Preliminary Plan approval.

¹ For the purpose of these conditions, the term “Applicant” shall also mean the developer, the owner or any successor(s) in interest to the terms of this approval.

New Conditions

Adequate Public Facilities

36. The Adequate Public Facilities (“APF”) review for the Preliminary Plan Amendment for the 40 lots on the Subject Property will remain valid for five (5) years from the initiation date (as defined in Montgomery County Code Section 50.4.3.J.5).

Plan Validity Period

37. The Preliminary Plan Amendment for the 40 townhouse units on the Subject Property will remain valid three (3) years from its initiation date (as defined in Montgomery County Code Section 50.4.2.G), and before the expiration date of this validity period, a final record plat for the 40 lots on the Subject Property delineated on the approved Preliminary Plan Amendment must be recorded in the Montgomery County Land Records or a request for an extension filed.

Outside Agencies

38. Before recording a plat for the Subject Property, the Applicant must satisfy MCDOT’s requirements for access and improvements.

39. The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Housing and Community Affairs (“DHCA”), in its letter dated January 13, 2026, and incorporates them as conditions of approval. The Applicant must comply with each recommendation in the letter, which DHCA may amend if the amendment does not conflict with other conditions of Preliminary Plan approval.

Future Site Plan Approval Required

40. Before clearing, grading, or recording a plat for the Subject Property, the Applicant must receive Staff certification of a Planning Board-approved site plan. The number and location of site elements, including but not limited to buildings, dwelling units, on-site parking, site circulation, sidewalks, and bikeways, will be determined through site plan review and approval.

41. If an approved site plan or site plan amendment for the Subject Property substantially modifies the lot or right-of-way configuration or quantities shown on this Preliminary Plan, the Applicant must obtain approval of a Preliminary Plan amendment before certification of the site plan or site plan amendment.

Transportation

Frontage Improvements on Existing Roads

42. Before the recordation of plat(s), the Applicant must satisfy all necessary requirements of MCDPS or MCDOT, as applicable, to ensure construction of a five-foot wide sidewalk with a four-foot street buffer along the Subject Property frontage on Shady Grove Road.

Private Roads

43. The Applicant must provide the Private Alley, including any sidewalks, bikeways, storm drainage facilities, street trees, streetlights, private utility systems, and other necessary improvements as required by either the Preliminary Plan or the subsequent Site Plan within the delineated private alley area (collectively, the “Private Road”), subject to the following requirements:
- a) The record plat must show the Private Road in a separate parcel.
 - b) The Private Road must be subjected by reference on the plat to the Declaration of Restrictive Covenant for Private Roads recorded among the Land Records of Montgomery County, Maryland, in Book 54062 at Page 338, and the terms and conditions in the Montgomery County Code § 50-4.3.E et seq regarding private roads. The Covenant includes, but is not limited to, the following requirements/conditions:
 - i) The Applicant, at its expense, shall design, construct and maintain the Private Road.
 - ii) The Applicant, at its sole cost and expense, shall properly and continually maintain (including ordinary and capital maintenance and removal of snow, ice, litter, and other obstructions and hazards as soon as conditions reasonably allow), repair, and replace any portion of the Private Road and all improvements located within the Private Road, in good condition and repair for safe use and operation of the Private Road. The Applicant must maintain a commercially reasonable budget (operating and capital, as applicable) to address both short-term and long-term maintenance, and reserves for capital repairs. The Applicant must provide certification of the reserves to the Planning Board or its Staff every two (2) years (or every five (5) years in the event there are no below-ground parking structures in the Private Road). The reserves must be adequate to cover the costs of needed repairs.
 - iii) The Applicant must post and retain signage notifying the public that the Private Road is not publicly maintained and providing contact information to handle complaints, concerns, or questions regarding the Private Road.
 - iv) Approved sub-grade for private roads must be a six-inch Graded Aggregate Base (GAB), or applicable MCDOT road classification standard.
 - c) Before issuance of the first building permit, the Applicant must deliver to the Planning Department, with a copy to MCDPS, certification by a professional engineer licensed in the State of Maryland that the Private Road has been designed and the applicable building permits will provide for construction in accordance with the paving detail and cross-section specifications required by the Montgomery County Road Code, as may be modified on this Preliminary Plan or a subsequent Site Plan, and that the road has been

designed for safe use including horizontal and vertical alignments for the intended target speed, adequate typical section(s) for vehicles/pedestrians/bicyclists, ADA compliance, drainage facilities, sight distances, points of access and parking, and all necessary requirements for emergency access, egress, and apparatus as required by the Montgomery County Fire Marshal.

- d) Before approval to release any portion of the site plan performance bond, the Applicant must deliver to the Planning Department and MCDPS inspector certification by a professional engineer licensed in the State of Maryland that the Private Road has been constructed in accordance with the paving detail and cross-section specifications required by the Montgomery County Road Code, as may be modified on the Preliminary Plan or Site Plan, including in-place density testing of the roadway soil sub-grade, aggregate base, and asphalt, and that the road has been constructed for safe use including horizontal and vertical alignments for the intended target speed, adequate typical section(s) for vehicles/pedestrians/bicyclists, ADA compliance, drainage facilities, sight distances, points of access and parking, and all necessary requirements for emergency access, egress, and apparatus as required by the Montgomery County Fire Marshall.

Record Plats

44. There shall be no clearing or grading of the site before the recordation of the plat(s).
45. The record plat must show necessary easements.
46. The record plat must reflect common ingress/egress and utility easements over all shared driveways.

Notes and Labels

47. The record plat must reflect all areas under common ownership.
48. The record plat must reference the Common Open Space Covenant recorded in Montgomery County Land Records at Book 28045, Page 578 (“Covenant”).

Certified Preliminary Plan

49. The certified Preliminary Plan must contain the following note:

Unless specifically noted on this plan drawing or in the Planning Board conditions of approval, the building footprints, building heights, on-site parking, site circulation, and sidewalks shown on the Preliminary Plan are illustrative. The final locations of buildings, structures, and hardscape will be determined at the time of site plan approval. Please refer to the zoning data table for development standards, such as setbacks, building restriction lines, building height, and lot coverage for each lot.

50. Before submittal of the Certified Preliminary Plan, the Applicant must make the following changes:
 - a) Show resolutions and approval letters on the certified set.

- b) Show private roadway details and cross sections on the certified set.

BE IT FURTHER RESOLVED that all other preliminary plan conditions of approval for this project remain valid, unchanged, and in full force and effect.

BE IT FURTHER RESOLVED that having considered the recommendations of its Staff as presented at the hearing and/or as set forth in the Staff Report, which the Board hereby adopts and incorporates by reference (except as modified herein), and upon consideration of the entire record, the Planning Board FINDS, with the conditions of approval, that:

Unless specifically set forth herein, this Amendment does not alter the intent, objectives, or requirements in the originally approved preliminary plan, as revised by previous amendments, and all findings not specifically addressed remain in effect.

- 1. The layout of the subdivision, including size, width, shape, orientation and density of lots, and location and design of roads is appropriate for the subdivision given its location and the type of development or use contemplated and the applicable requirements of Chapter 59.***

This Application has been reviewed for compliance with the Montgomery County Code, Chapter 50, the Subdivision Regulations. The Application meets all applicable subdivision regulations. The parcel sizes, widths, shapes, and orientation are appropriate for the subdivision's location, taking into account the recommendations of the Master Plan, the existing development patterns of surrounding properties, and the uses, buildings, and facilities contemplated for the Subject Property.

- a. The block design is appropriate for the development or use contemplated***

The block design is appropriate for the development and land use contemplated. New residential blocks will have access from Front Street. The block design consists of strings of townhouse lots fronting and served by an internal private alley. The blocks are of an appropriate length and width to accommodate pedestrian and vehicular circulation, fire department access, public open spaces, and private residential lots.

- b. The lot design is appropriate for the development or use contemplated***

The Application meets all applicable sections of the Subdivision Code, including the lot design. The Project creates 40 lots for 40 townhouses. The dimensions of the lots will accommodate the townhouses and other necessary infrastructure to serve them. The lot design is also consistent with the size, shape, and width of other townhouse lots in the vicinity of the Subject Property.

c. The Preliminary Plan provides for required public sites and adequate open areas

The Application provides for required public sites and adequate open space areas. Sites for a future public school, a public park, and a library are provided. The Overall Property provides 23.37 percent (52,066 square feet) of public open space, exceeding the 20 percent minimum open space requirement for the TOMX-2/TDR zone. No additional required public sites are required. There are no changes to public sites or open areas, except for the Subject Property, which is discussed in the Site Plan section of this staff report.

d. The Lot(s) and Use comply with the basic requirements of Chapter 59

The Application was reviewed for compliance with the dimensional requirements for the TOMX-2.0/TDR as specified in the 2004 Zoning Ordinance. The Project meets all applicable development standards of Chapter 59. A summary of this review is shown in Table 1 below.

Table 1 - Shady Grove Station Westside-Block U, Data Table for the TOMX-2.0/TDR, Optional Method, Section 59-C-13.23

Development Standard	Approved/Required	Approved
Tract Area, Overall Property	90.3404 acres	90.3404 acres
Net Lot Area, min., Subject Property	18,000 SF	145,304 SF
Density, Overall Property	3,935,227.70 SF	3,935,227.70 SF (no change)
TOMX-2.0/TDR, FAR	West Side: 1.40 East Side: 0.91	West Side: 1.46 East Side: 0.91
Townhouse Units	756	756 (no change)
Multi-family Units	1,458	1,458 (no change)
Office	7,268 SF	7,268 SF (no change)
General Retail	43,000 SF	0 SF
Auxiliary Retail	41,828 SF	41,828 SF (no change)
Library	6,859 SF	6,859 SF
MPDUs, min.	307	307 (no change)

Development Standard	Approved/Required	Approved
Workforce Housing Units, min.	170	170 (no change)
Public Use Space, 20% min.	18.07 acres (20%)	21.11 acres (23.37%)
Building Height, max.	Optional Method – n/a	79 FT
Building Coverage, max.	Optional Method – n/a	29.20%
Minimum Setbacks, min.	-	-
From an adjacent TOMX zone	Optional Method – n/a	15 FT
From an adjacent commercial or industrial zone	Optional Method – n/a	n/a
From an adjacent single-family residential zone	Optional Method – n/a	n/a
From a public right-of-way	Optional Method – n/a	n/a
Parking ²	2,335 spaces	2,225 spaces ³
Site Plan Required	Yes	Yes

2. *The Preliminary Plan substantially conforms to the Master Plan.*

The Project substantially conforms to the Master Plan. The overarching vision of the Master Plan is for a mixed-use and pedestrian-oriented community with attractive streetscapes, distinctive architecture, and a sense of place. A key recommendation of the Master Plan is to increase the number of housing units within the vicinity of the Shady Grove Metro Station. Replacing previously approved but unbuilt retail with townhomes near transit, along with a connected street grid, commercial uses, and a future library, advances the Sector Plan’s vision for a mixed-use, pedestrian-oriented community. This Project provides additional housing within walking distance to the Shady Grove Metro Station. Additionally, introducing residential uses on Block U supports sustainability through compact, infill development, green public spaces, advanced stormwater management, and improved access to non-auto transportation modes.

² Required parking is provided and was approved for the Overall Area by Preliminary Plan No. 12012008H, as amended. The final number of parking spaces is determined with Site Plan approval; pursuant to Sec. 59-6.2.4, the number of parking spaces provided may be adjusted by DPS at building permit.

³ Pursuant to Sec. 59-E-3.33.a and 59-E-3.32.a, parking reductions are provided for proximity to a transit station.

The Preliminary Plan Amendment introduces additional townhomes, including workforce housing units, to expand housing options and create pedestrian-friendly open spaces that enhance livability. Street-oriented townhomes, sidewalks, and roads within Block U will improve connectivity by creating new pedestrian paths and bikeways that link existing neighborhoods to the mixed-use development. Integrated open spaces will provide opportunities for recreation, social interaction, and community well-being. By concentrating housing near existing transit and commercial services, the Project supports mixed-use, transit-oriented development and increases the number of homes within walking distance of Metro. The five workforce housing units advance public benefits by promoting affordability and diverse housing choices close to transit.

3. *Public facilities will be adequate to support and service the area of the subdivision.*

As conditioned, public facilities are adequate to support and serve the subdivision area.

a) Roads and other Transportation Facilities

i. *Existing Facilities*

The Subject Property has frontage along Shady Grove Road and Crabbs Branch Way. The right-of-way width along the property frontage on Shady Grove Road varies, but is a minimum of 150 feet wide. Along Shady Grove Road, there is a sidewalk with no street buffer and a bus stop with a shelter near the intersection with Crabbs Branch Way. Crabbs Branch Way has 120 feet of right-of-way dedicated and has an eight-foot-wide sidewalk with a buffer.

ii. *Proposed public transportation infrastructure*

The Master Plan of Highways and Transitways calls for a minimum of 150 feet of right-of-way along Shady Grove Road and 100 feet of right-of-way along Crabbs Branch Way; no additional dedication is required for either road. The Bicycle Master Plan calls for a Breezeway along this portion of Shady Grove Road; however, due to significant grading challenges, this improvement is not feasible for the applicant to provide. Therefore, the Applicant will instead upgrade the Shady Grove Road frontage by providing a five-foot sidewalk with a four-foot street buffer, which will improve the pedestrian level of comfort, and not preclude the ability of others to construct the master planned facility in the future.

iii. *Proposed private transportation infrastructure*

There will be a U-shaped Private Alley from Front Street to provide vehicular access to the townhomes. There will also be internal sidewalks leading to the

fronts of the townhomes and a sidewalk connecting the community garden to the sidewalk on Crabbs Branch Way. Internal sidewalks will also connect to the sidewalks on Front Loop and Front Street.

b) Local Area Transportation Review (LATR)

This Preliminary Plan Amendment proposes to substitute the approved but unbuilt 43,000 square feet of general retail space for Block U, Shady Grove West, with 40 approved but unbuilt townhomes from Shady Grove Station East. The most recent amendment to the Preliminary Plan (No. 12012008G) added five (5) townhome units. It was the subject of a traffic statement dated January 11, 2023, and approved by the Planning Board on May 16, 2023.

As shown in Table 2, the originally approved Preliminary Plan land uses would have generated 795 AM peak-hour trips and 988 PM peak-hour trips. The Preliminary Plan Amendment generates 657 AM peak-hour trips and 857 PM peak-hour trips, which is 138 fewer AM trips and 131 fewer PM trips than the originally approved Preliminary Plan.

Table 2 - Trip Generation Analysis

Trip General Analysis	Land Use	Trip Generation Rates: AM	Trip Generation Rate: PM
Previously Approved (Combined East and West Sides from 2012 LATR)	-	-	-
-	Office (131,422 SF)	161	150
-	Retail (41,828 SF)	49	189
-	Residential (2,210 DU)	585	649
Subtotal Approved Program	-	795	988
Proposed (Combined East and West Sides)	-	-	-
-	Office (7,268 SF)	7	10
-	Retail (41, 828 SF)	57	195
-	Residential (2,214 DU)	593	652
Subtotal Proposed Program	-	657	857
Net Change	-	-138	-131

Source: Transportation Exemption Statement from Wells and Associates, September 4, 2025, modified by staff

The Preliminary Plan Amendment will not result in increases to the approved peak-hour trip generation totals or include roadway network changes, and thus, the previous LATR study remains valid.

c) Schools

The Subject Property is located within the Shady Grove Policy Area, which is categorized as an Infill Impact Area by the 2024-2028 Growth and Infrastructure Policy. The FY 2026 Annual School Test, approved by the Planning Board on June 26, 2025, and effective on July 1, 2025, is applicable.

Washington Grove Elementary School, Gaithersburg Middle School, and Gaithersburg High School serve the Subject Property. The enrollment and capacity projections of these schools are reflected in the FY 2026 Annual School Test, which evaluates for the 2029-2030 school year, and the default Utilization Premium Payment (UPP) tier placements are shown in Table 3 below.

Table 3 – FY 2026 Annual School Test Projections (2029-2030 School Year) and UPP Tier Placements

School	Program Capacity	Enrollment	Utilization Rate	Seat Surplus or Deficit	UPP Tier Placement
Washington Grove ES	550	508	92.4%	+42	No UPP
Gaithersburg MS	1,028	894	87.0%	+134	No UPP
Gaithersburg HS ⁴	2,444	2,276	93.1%	+168	No UPP

Based on the FY 2026 Annual School Test results above, the Subject Property is not subject to any UPP by default. However, if the Project’s enrollment impact estimate exceeds the adequacy ceiling for a school in subsequent UPP tiers shown in Table 4, a partial payment is required.

⁴ Projected enrollment is modified to estimate the impact of Crown HS (CIP P651909), reflecting the scope of the boundary study approved by the Board of Education on March 19, 2024. Due to the delay of the Damascus HS Major Capital Project (CIP P652102), some the boundary changes can be implemented in phases.

Table 4 – FY 2026 Annual School Test Adequacy Ceilings

School	Tier 1 Adequacy Ceiling	Tier 2 Adequacy Ceiling	Tier 3 Adequacy Ceiling
Washington Grove ES	116	152	235
Gaithersburg MS	254	340	494
Gaithersburg HS	328	657	1,024

Table 5 shows the Project’s enrollment impact estimate, calculated based on the School Impact Area classification and the net residential units, using the FY 2026-2027 Student Generation Rates.

Table 5 – Student Enrollment Impact Estimate (Reflects FY 2026-2027 Student Generation Rates)

Type of Unit	Net Number of Units	ES Student Generation Rate	ES Student Estimate	MS Student Generation Rate	MS Student Estimate	HS Student Generation Rate	HS Student Estimate
SF Attached	40	x 0.165	= 6.600	x 0.088	= 3.520	x 0.137	= 5.480
Total ⁵	-	-	6	-	3	-	5

The enrollment impact estimate during an average year throughout the life of this project is six (6) elementary school students, three (3) middle school students, and five (5) high school students. This estimate does not exceed the adequacy ceilings identified in Table 5. Therefore, a Utilization Premium Payment is not required.

d) Other Public Facilities and Services

The Subject Property is served by public water and sewer and is classified in the W-1 and S-1 categories. Public water and sewer mains currently serve the Property, which will be adequate to serve the subdivision.

Dry utilities, including electricity, gas, and telephone are also available to the Subject Property. Other utilities, public facilities and services, such as electric, telecommunications, police stations, firehouses, and health services are currently operating in accordance with the Growth and Infrastructure Policy (GIP) in effect.

⁵ Total numbers have been rounded down.

4. *All Forest Conservation Law, Chapter 22A requirements are satisfied.*

The Application satisfies all applicable requirements of the Forest Conservation Law, Montgomery County Code, Chapter 22A. It complies with the Montgomery County Planning Department's Environmental Guidelines, as further discussed in the findings for Forest Conservation Plan No. F20260080 which are included in a separately approved resolution and are incorporated herein.

5. *All stormwater management, water quality plan, and floodplain requirements of Chapter 19 are satisfied.*

DPS approved a Stormwater Management Concept on January 8, 2026. For the Subject Property, the plan proposes meeting the required stormwater management goals via micro-bioretenion facilities, permeable pavement, and a bio-swale.

6. *Any burial site of which the applicant has actual notice or constructive notice or that is included in the Montgomery County Cemetery Inventory and located within the subdivision boundary is approved under Subsection 50-4.3.M.*

The Applicant has no actual notice or constructive notice of a burial site, and the Subject Property is not included in the Montgomery County Cemetery Inventory.

7. *Any other applicable provisions specific to the property and necessary for approval of the subdivision is satisfied.*

There are no other applicable provisions that are specific to the Subject Property or necessary for approval of the subdivision.

BE IT FURTHER RESOLVED that this Resolution constitutes the written opinion of the Board in this matter, and the date of this Resolution is

February 20, 2026

(which is the date that this Resolution is mailed to all parties of record); and

BE IT FURTHER RESOLVED that any party authorized by law to take an administrative appeal must initiate such an appeal consistent with the Maryland Rules for the judicial review of administrative agency decisions.

* * * * *

CERTIFICATION

This is to certify that the foregoing is a true and correct copy of a resolution adopted by the Montgomery County Planning Board of The Maryland-National Capital Park and Planning Commission on motion of Commissioner Hedrick, seconded by Commissioner Pedoeem, with a vote of 5-0; Chair Harris, Vice Chair Linden, and Commissioners Bartley, Hedrick, and Linden, voting in favor of the motion, at its regular meeting held on Thursday, February 19, 2026, in Wheaton, Maryland and via video conference.



Artie L. Harris, Chair
Montgomery County Planning Board