Montgomery County Planning Board
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

2425 Reedie Drive, Floor 14, Wheaton, MD 20902 | Phone: 301-495-4605
www.montgomeryplanningboard.org | mcp-chair@mncppc.org

DATE MAILED

October 13, 2026

MCPB No. 26-100
Preliminary Plan No.120260120
River Road Estates
Date of Hearing: September 24, 2026

RESOLUTION

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

WHEREAS, on February 5, 2026, Hamid Shirazi ("Applicant") filed an application for approval of a preliminary plan of subdivision of property that would create four (4) lots for four (4) units on 2.42 acres of land in the R-200 zone, located at the intersection of Newhall Road and Persimmon Tree Road ("Subject Property"), in the Yellow Policy Area and 2002 *Potomac Subregion Master Plan* area; and

WHEREAS, Applicant's preliminary plan application was designated Preliminary Plan No. 120260120, River Road Estates ("Preliminary Plan" or "Application"); and

WHEREAS, the Application was submitted for concurrent review and approval with Forest Conservation Plan No. F20260600; 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 September 4, 2026, providing its analysis and recommendation for approval of the Application, subject to certain conditions ("Staff Report"); and

WHEREAS, on September 24, 2026, the Planning Board held a public hearing on the Application and voted to approve the Application subject to conditions, on the motion of Vice Chair Bartley, seconded by Commissioner Pedoeem, with a vote of **3-0**; Chair Harris, Vice Chair Bartley, and Commissioner Pedoeem voting in favor, Commissioners Hedrick and Linden necessarily absent.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board APPROVES Preliminary Plan No. 120260120 to create four (4) lots for four (4) units on the Subject

Property, subject to the following conditions:[1]

GENERAL APPROVAL

1. This Preliminary Plan is limited to four (4) lots for four (4) single-family detached dwelling units.

ADEQUATE PUBLIC FACILITIES

2. The Adequate Public Facilities ("APF") review for the Preliminary Plan 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

3. The Preliminary Plan will remain valid for 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 all property delineated on the approved Preliminary Plan must be recorded in the Montgomery County Land Records or a request for an extension filed.

OUTSIDE AGENCIES

4. The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Transportation ("MCDOT") in its letter dated June 27, 2026 and 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 MCDOT if the amendment does not conflict with any other conditions of the Preliminary Plan approval.
5. Before recording a plat for the Subject Property, the Applicant must satisfy MCDOT's requirements for access and improvements.
6. The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Permitting Services ("MCDPS"), Water Resources Section in its stormwater management concept letter dated April 9, 2026, and 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 – Water Resources Section if the amendment does not conflict with any other conditions of the Preliminary Plan approval.
7. 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 letter dated April 23, 2026, and incorporates them as conditions of approval. The Applicant must comply with

[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.

each of the recommendations in the letter, which MCDPS may amend if the amendment does not conflict with other conditions of Preliminary Plan approval.

TRANSPORTATION

Frontage Improvements on Existing Roads

8. The Applicant must provide the following dedications and show them on the record plat(s) for the following existing roads:

   a) All land necessary to accommodate forty (40) feet of land from the existing pavement centerline along the Subject Property frontage for Persimmon Tree Road.

   b) All land necessary to accommodate thirty-two-and-a-half (32.5) feet of land from the existing pavement centerline along the Subject Property frontage for Newhall Road.

9. Before the recordation of plat(s), the Applicant must satisfy all necessary requirements of MCDOT to ensure construction of the following frontage improvements:

   a) Along Persimmon Tree Road, a ten-foot-wide (10 ft) asphalt sidepath, an eleven-and-a-half-foot-wide (11.5 ft) street buffer, and a six-foot-wide (6 ft) grass shoulder.

   b) Along Newhall Road, a six-foot-wide (6 ft) sidewalk, an eight-and-a-half-foot-wide (8.5 ft) street buffer, and a six-foot-wide (6 ft) grass shoulder.

RECORD PLATS

10. There shall be no clearing or grading of the site before recordation of plat(s).
11. The record plat must show necessary easements.
12. The record plat must reflect common ingress/egress and utility easements over all shared driveways.
13. The record plat must reflect building restriction lines (BRL) as shown on the Preliminary Plan.

Notes and Labels

14. The record plat must reflect all areas under common ownership.

Schools

15. Before issuance of building permits for residential dwelling units on Lots 2 and 4, the Applicant must obtain an assessment from Montgomery County Department

of Permitting Services (MCDPS) for Utilization Premium Payments (UPPs) consistent with the Growth and Infrastructure Policy currently in effect, as follows:

a) No elementary school UPP required.

a) No middle school UPP required.

b) Tier 1 high school UPP required.

CERTIFIED PRELIMINARY PLAN

16. The certified Preliminary Plan must contain the following notes:

a) *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 issuance of building permit(s). Please refer to the zoning data table for development standards such as setbacks, building restriction lines, building height, and lot coverage for each lot.*

b) *The Applicant must schedule an on-site preconstruction meeting with M-NCPPC inspection staff before any demolition, clearing, or grading occurs on-site. The Applicant, along with their representatives, must attend the pre-construction meeting with the M-NCPPC inspector. A copy of the approved Certified Preliminary Plan is required to be on-site at all times during construction.*

17. 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) Include the approved Fire Department Access Plan.
    c) Include proposed sewer easements.

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:

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.*

a) The block design is appropriate for the development or use contemplated

The new lots do not change the existing block design as established by the original plat. The Application will continue the single-family detached development pattern similar to the surrounding neighborhood.

b) The lot design is appropriate for the development or use contemplated

The four approved lots are consistent with the current character of the neighborhood by meeting the R-200 minimum lot size for single-family detached dwelling units. The approved lots do not utilize flag lot configuration and will allow the use of public water and sewer.

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

i. **Master Planned Sites**

The Subject Property is not designated as a master planned site in the 2002 *Potomac Subregion Master Plan*.

ii. **Local Recreation**

The 2002 *Potomac Subregion Master Plan* does not make any recommendations for local recreation improvements at the site.

iii. **Transportation and Utilities**

Each approved lot will have direct vehicular access from either Persimmon Tree Road or Newhall Road, as discussed above. Additionally, the Project includes dedication for both public streets, Persimmon Tree Road and Newhall Road, to achieve the master planned right-of-way. Similarly, all required frontage improvements are being constructed, as discussed in the upcoming sections.

Public water, sewer, and other utilities are available and adequate to serve the approved Development. The Application satisfies the applicable Adequate Public Facilities (APF) requirements.

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

The Application will create two (2) lots for existing single-family detached dwelling units (Lots 1 and 3) and two (2) new single-family detached

dwelling units (Lots 2 and 4) utilizing existing street frontage for ingress and egress. The Application meets the dimensional requirements for the R-200 zone as specified in the Zoning Ordinance and shown in Table 1 below, in relation to maximum density, building height, and minimum setbacks. Lots 2 and 4 are subject to the residential infill compatibility requirements of Section 59.4.4.1.B

Table 1: River Road Estates Preliminary Plan Data Table for R-200 Zone, Standard Method, Section 59.4.4.7.

Development Standard	Permitted/ Required	Lot 1	Lot 2	Lot 3	Lot 4
Tract Area	2.427 Acres				
Prior Dedication	n/a				
Approved Dedication	0.134 Acres				
Density	2.18 Unit/Ac	.54 Unit/Ac	.54 Unit/Ac	.54 Unit/Ac	.54 Unit/Ac
Minimum Lot Area	20,000 sq. ft	39,678 sq. ft.	20,073 sq. ft	20,003 sq. ft	20,091 sq. ft
Minimum Lot Frontage	25 ft.	188 ft.	100 ft.	129 ft.	100 ft.
Minimum Lot width at B.R.L.	100 ft.	188 ft.	100 ft.	150 ft.	100 ft.
Maximum Lot Coverage	25%	20%	20%	20%	20%
Principle Building setbacks, minimum					
Front	40 ft. or EBL	40 ft.	50.5 ft.	40 ft.	40 ft.
Side	12 ft.	12 ft.	12 ft.	12 ft.	12 ft.
Sum of Side	25 ft.	25 ft.	25 ft.	25 ft.	25 ft.

Development Standard	Permitted/ Required	Lot 1	Lot 2	Lot 3	Lot 4
Rear	30 ft.	30 ft.	30 ft.	30 ft.	30 ft.
Height[2]	See Footnote	≤45 ft.	≤40 ft.	≤40 ft.	≤40 ft.

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

a) Land Use

The 2002 *Potomac Subregion Master Plan* does not make specific recommendations for the Subject Property or the nearby area, but reconfirms the existing single-family detached residential use and zoning throughout the existing neighborhood. The Application substantially conforms to this recommendation by providing a four-lot subdivision of detached residential dwelling units.

b) Environment

The Subject Property is not located in a Special Protection Area and substantially conforms to the 2002 *Potomac Subregion Master Plan's* environmental goal to "maintain and reaffirm a low-density residential green wedge" for most of the Subregion" (page 33). The approved residential use of single-family detached dwelling units substantially conforms to this recommendation. The Application would retain the two existing homes, construct two new single-family detached dwellings, and provide frontage improvements. By retaining the existing dwelling units, the proposal minimizes disturbance to portions of the Property, allowing several mature trees to be preserved that might otherwise be removed if the structures were demolished and the site redeveloped in its entirety. New construction would be subject to current building and energy code requirements, which generally improve energy efficiency compared to older residential buildings. The Project would, however, remove existing on-site forest, including a portion within a stream buffer, to accommodate the development, resulting in an overall reduction of existing tree canopy and associated ecosystem benefits. These impacts are mitigated and addressed through compliance with the Forest Conservation Law.

[2] For Lot 1, the maximum height is 45 feet to the highest point or 40 feet to the mean roof height; for Lots 2-4, the maximum height is 40 feet to the highest point or 35 feet to the mean roof height per Section 59.4.4.7.

***c)* Transportation**

The 2002 *Potomac Subregion Master Plan* acknowledges the need for diversifying modes of transportation. Thus, it recommends "the expansion of the existing bikeway system within the Subregion" to accommodate the greatest number of cyclists commuting through the area (page 124). Similarly, the 2018 *Bicycle Master Plan* recommends a ten-foot-wide (10 ft) asphalt sidepath along Persimmon Tree Road.

As conditioned, the Applicant will construct the aforementioned sidepath facility separated from traffic by a street buffer along Persimmon Tree Road. Similarly, along Newhall Road, the Applicant will construct a concrete sidewalk separated from traffic by an eight-and-a-half-foot-wide (8.5 ft) street buffer. With the approved facilities, the Project substantially conforms to the transportation aspects of the Master Plan.

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

a) Roads and other Transportation Facilities

i. Existing Facilities

The Site has frontage along two public streets. Persimmon Tree Road is a County-owned and maintained public street classified as an Area Connector with a master-planned right-of-way of 80 feet under the *Master Plan of Highways and Transitways*. Persimmon Tree Road is a two-lane street without any pedestrian or bicyclist facilities.

Newhall Road is a County-owned and maintained public street classified as a Neighborhood Street with a prescriptive right-of-way of 60 feet under Section 49-32 of the County Code. Similar to Persimmon Tree Road, Newhall Road is a two-lane street without any pedestrian or bicyclist facilities.

ii. Proposed Public Transportation Infrastructure

As part of this Project, the Applicant will dedicate 40 feet of right-of-way from the centerline of the pavement to the Property line to achieve the master planned 80 feet of right-of-way along its frontage on Persimmon Tree Road. To conform with the 2024 *Complete Streets Design Guide* and the 2018 *Bicycle Master Plan*, the Applicant will construct a ten-foot-wide (10 ft) asphalt sidepath with an eleven-and-a-half-foot-wide (11.5 ft.) street buffer on Persimmon Tree Road. Additionally, the Applicant will construct a six-foot-wide (6 ft) grass shoulder, as required by MCDOT.

Similarly, for Newhall Road, the Applicant will dedicate 30 feet of right-of-way from the centerline of the pavement to the Property line to achieve the required 60 feet of right-of-way. To conform with the 2024 *Complete Streets Design Guide*, the Applicant will construct a six-foot-wide (6 ft) concrete sidewalk with an eight-and-a-half-foot-wide (8.5 ft) street buffer along the Site's frontage on Newhall Road. The Applicant is also responsible for constructing a six-foot-wide (6 ft) grass shoulder, as required by MCDOT.

iii. Proposed Private Transportation Infrastructure

As part of this Application, there is no private transportation infrastructure being approved.

b) Local Area Transportation Review (LATR)

The Subject Property is located in the Potomac Policy area, a Yellow Policy Area under the 2024-2028 *Growth and Infrastructure Policy* (GIP). The GIP requires a Transportation Impact Study (TIS) for any project that is estimated to generate a net increase of 30 or more motor vehicle trips in either the morning or evening peak hours. As that is not the case for this Application, the LATR review is satisfied with a transportation exemption statement. A summary of the trip generation analysis is provided in Table 2 below.

Table 2: Trip Generation Analysis

Use	Quantity	AM ITE Vehicle Rates	PM ITE Vehicle Rates	AM Adjusted Policy Area Rates	PM Adjusted Policy Area Rates
Approved Single-Family Detached Units ITE-210	4 Units	8	5	7	4
			Net Change	**7**	**4**

Source: Transportation Adequacy Form submitted by the Applicant, modified by staff.

c) Schools

School Impact Area Classification

The Subject Property is located within the Potomac Policy Area, which is categorized as a Turnover Impact Area by the 2024-2028 Growth and Infrastructure Policy.

Annual School Test Results

This Application is subject to the results of the FY2027 Annual School Test, approved by the Planning Board on June 25, 2026 and effective on July 1, 2026.

The FY2027 Annual School Test evaluates for the 2030-2031 school year, during which the Property will be served by Potomac Elementary School, Cabin John Middle School, and Winston Churchill High School. The enrollment and capacity projections of these schools reflected in the FY2027 Annual School Test and the default Utilization Premium Payment (UPP) tier placements are shown in Table 3.

Table 3. FY2027 Annual School Test Projections (2030-2031 School Year) & UPP Tier Placements

	Program Capacity	Enrollment	Utilization Rate	Seat Surplus or Deficit	UPP Tier Placement
Potomac ES	480	435	90.6%	+45	No UPP
Cabin John MS	1,108	997	90.0%	+111	No UPP
Winston Churchill HS	1,936	2,179	112.6%	-243	**Tier 1 UPP**

Based on the FY2027 Annual School Test results above, the high school service area is placed in a Tier 1 UPP by default. If the Project's enrollment impact estimate exceeds an adequacy ceiling of a school shown in Table 4, the payment rate will be adjusted higher.

Table 4. FY2027 Annual School Test Adequacy Ceilings

	Tier 1 Adequacy Ceiling	Tier 2 Adequacy Ceiling	Tier 3 Adequacy Ceiling
Potomac ES	119	141	213
Cabin John MS	231	333	499
Winston Churchill HS	-	145	435

Enrollment Impact Estimate

Table 5 shows the project's enrollment impact estimate calculation based on the School Impact Area classification and net residential units approved, using the FY2026-2027 Student Generation Rates.

Table 5. Student Enrollment Impact Estimate (reflects FY2026-2027 Student Generation Rates)

Type of Unit	Net Number of Units	Turnover ES Student Generation Rate	ES Student Estimate	Turnover MS Student Generation Rate	MS Student Estimate	Turnover HS Student Generation Rate	HS Student Estimate
SF Detached	4	x 0.180	= 0.720	x 0.098	= 0.392	x 0.148	= 0.592
TOTAL (rounded down)			0		0		0

The enrollment impact of the approved units during an average year throughout the life of this project is estimated to be no elementary school students, middle school students, or high school students. This does not exceed the adequacy ceilings identified in Table 2. Therefore, only the default Tier 1 UPP at the high school level will be required.

Condition of Approval

Prior to issuance of each building permit for a residential dwelling unit, the Applicant must obtain an assessment from the Montgomery County Department of Permitting Services for Utilization Premium Payments (UPPs) consistent with County Code and the Growth and Infrastructure Policy, as follows:

a. No elementary school UPP required
b. No middle school UPP required
c. Tier 1 high school UPP required per unit

Montgomery County may modify the per unit UPP rates prior to payment of any required UPPs. The Applicant must pay the above UPPs to the Montgomery County Department of Finance based on the rates in effect at the time of payment.

d) Other Public Facilities and Services

The 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 extended and be adequate to serve the approved subdivision.

Dry utilities including electricity, gas, and telephone are also available to the Property. Other utilities, public facilities and services, such as telecommunications, police stations, firehouses and health services are currently operating within the standards set by the Growth and Infrastructure Policy currently in effect.

4. *The Application satisfies all the applicable requirements of the Forest Conservation Law, Montgomery County Code Chapter 22A.*

   The Application satisfies all of the applicable requirements of the Forest Conservation Law, Montgomery County Code, Chapter 22A and is in compliance with the Montgomery County Planning Department's Environmental Guidelines as further discussed in the findings for Forest Conservation Plan No. F20260600, 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.*

   The Planning Board finds that this requirement is satisfied, as MCDPS approved the Stormwater Management Concept Plan on April 9, 2026. The plan will meet stormwater management requirements using the right of way with a proposed "j" inlet in a sewer connection easement. A detailed review of the stormwater management computations will occur at the time of detailed plan review, and an engineered sediment control plan must be submitted.

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 4.3.M*

   This finding is not applicable to this Application, as the Applicant has no actual or constructive knowledge of any burial site on the Property and the Property is not in the Cemetery Inventory.

7. *Any other applicable provision specific to the property and necessary for approval of the Preliminary Plan is satisfied***.**

No other provisions apply to the Application.

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

October 13, 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 the motion of Commissioner Pedoeem, seconded by Vice Chair Bartley, with a vote of 3-0-1; Chair Harris, Vice Chair Bartley and Commissioner Pedoeem, voting in favor of the motion, Commissioner Linden abstaining and Commissioner Hedrick being necessarily absent at its regular meeting held on Thursday, October 8, 2026, in Wheaton, Maryland and via video conference.

Artie L. Harris, Chair
Montgomery County Planning Board

Approved as to
Legal Sufficiency: /s/ Allison Myers
M-NCPPC Legal Department