

**OFFICE OF ZONING AND ADMINISTRATIVE HEARINGS
for
MONTGOMERY COUNTY**

**Stella B. Werner Council Office Building
100 Maryland Avenue, Room 200
Rockville, Maryland 20850
<http://www.montgomerycountymd.gov/ozah/index.html>
Phone: (240) 777-6660; Fax (240) 777-6665**

CASE NO. CU 16-11 – GARRETT GATEWAY PARTNERS, LLC,

**ORDER IN RESPONSE TO
FOLLOW-UP SHOW CAUSE HEARING ON OCTOBER 1, 2025**

Pursuant to the Show Cause Order dated September 26, 2025 the Hearing Examiner held a remote status hearing on October 1, 2025.

The following individuals attended the remote status hearing on October 1, 2025 at 9:30 am. Dean Packard, on behalf of Garrett Gateway Partners, Josh Kaye behalf of Planning and Greg Nichols on behalf of DPS. Nicole Soltyka, Justin Hughes, Matt Rooney, Patti Simone, and Kim Rooney attended from the community. Mr. Packard confirmed that the interior streetlights were on and that the stormwater management ponds were cleaned up and inspected. Additionally, Mr. Packard stated the dates in the spreadsheet from 9/26/25 were still accurate. Mr. Packard will submit an updated spreadsheet on Monday documenting the progress from this week. Mr. Nichols and Mr. Kaye both inspected the property and confirmed Mr. Packard's statements. When asked about the landscaping, Mr. Packard stated plants are still projected to be installed in mid-October and he knows Mr. Nichols when planting begins.

Neighbors asked specific questions about the stormwater management pond area relating to watering, maintenance and survival of the plants. Mr. Packard stated that he will ensure the plants continue to receive water, that the landscaping company would be responsible for maintaining the area and Mr. Nichols explained how the ponds work and time is needed for them

The Hearing Examiner was satisfied that progress has been made. The Hearing Examiner will continue to schedule show cause hearings every two weeks scheduling the next remote hearing for Wednesday, October 15, 2025 at 9:30 am.

Based on the statements made on October 1, 2025, the Hearing Examiner **ORDERS** as follows:

1. That, DPS and Planning continue to monitor the status of the bonds held by each agency to complete the work required at “Cashell Estates” to bring the subject property into compliance with CU 16-11 Garrett Gateway Partners, LLC; and further
2. That, Dean Packard continue to send weekly updates of progress to the County’s bonding agent and copy Linda Kobylski on each email; and further
3. That Dean Packard submit to the Hearing Examiner and representatives of DPS and Planning an **updated** “Site Cost Work to Finish Project” by the close of business every **Monday** until the terms of the conditional use are completed; and further
4. That, no work shall begin on the subject property by any contractor without either that contractor or Mr. Packard first notifying and scheduling the work with DPS and Planning; and further
5. That, Mr. Packard shall notify the community members no later than 48 hours before the start of any construction on the subject property; and further
6. That, any applications or pending approvals related to development, construction, permits, work, etc. on Phase II of this “Design for Life” project with either Planning or DPS shall halt until the Hearing Examiner determines that the terms of CU 16-11 and the related Preliminary Plan are satisfied, and further
7. That, Dean Packard on behalf of Garrett Gateway Partners, LLC and representatives of DPS and Planning appear **REMOTE** before the Hearing Examiner with Office of

Zoning and Administrative Hearings on **Wednesday, October 15, 2025 at 9:30 am**
for a status update hearing regarding the status the work at the site and the status of the
County Bonds.

It is so ORDERED, this 1st day of October 2025.



Kathleen E. Byrne
Hearing Examiner

Copies sent via email to:

Dean Packard for Garrett Gateway Partners, LLC

Barbara Jay, Executive Director

Montgomery County Board of Appeals

Robert Kronenberg, Deputy Director, Planning

Mark Beall, Planning

Patrick Butler, Planning

Josh Kaye, Planning

Ehsan Motazed, Division Chief, Zoning & Site Plan Enforcement, DPS

Greg Nichols, Manager, SPES, Zoning & Site Plan Enforcement, DPS

Victor Salazar, Program Manager II, Zoning & Site Plan Enforcement, DPS

Elana Robinson, Assistant County Attorney, Office of the County Attorney

Community members present on 7/12/24, 10/17/24, 11/20/24, 12/19/24,

1/23/25, 2/27/25, 3/13/25, 4/10/25, 5/14/25, 6/11/25, 8/13/25, 8/25/25, 9/16/25 and 10/1/25