

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

**Stella B. Werner Council Office Building
100 Maryland Avenue, Room 200
Rockville, Maryland 20850
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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 15, 2025**

Pursuant to the Show Cause Order dated October 1, 2025 the Hearing Examiner held a remote status hearing on October 15, 2025.

The following individuals attended the remote status hearing on October 15, 2025 at 9:30 am. Dean Packard, on behalf of Garrett Gateway Partners, Josh Kaye behalf of Planning. Nicole Soltyka, Justin Hughes, Matt Rooney, and Patti Simone attended from the community. The Hearing Examiner reviewed the spreadsheet submitted by Mr. Packard on October 8, 2025. Ms. Soltyka stated there has been no activity on the second entrance and doesn't believe Mr. Packard will meet the schedule in the spreadsheet which projects completion of all outstanding items October 29, 2025. Ms. Soltyka asked about the upcoming court dates and the status of the violation. Mr. Packard stated tomorrow his landscape engineer will submit the as-builts to sediment control and if approved the only matter left to resolve that violation is "grass growing" to complete stabilization. When the Hearing Examiner asked about the status of the right of way work, Mr. Packard stated he has submitted all required receipts for materials to right of ways and confirmed that all the curb, sidewalk, gutter and paving work is required to be completed to resolve the right of way violation. The Court date for both violations is October 21, 2025. Mr. Packard believed given his progress that if he is not done all the work by October, 21, 2025 that the two DPS divisions would give him an extension. The Hearing Examiner asked that he focus on abating

the two violations by October 21, 2025 and update the spreadsheet to include status of work for those two violations as well as contact the playground company to confirm the delivery of the playground equipment. Additionally, Mr. Packard stated he will be plant shopping starting tomorrow and he confirmed that before plants go in that he will coordinate with Greg Nichols.

The Hearing Examiner will continue to schedule show cause hearings every two weeks scheduling the next remote hearing for Wednesday, October 29, 2025 at 9:30 am.

Based on the statements made on October 15, 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” including detailing the work related to the two open violations with sediment control and right of ways 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 29, 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 15th 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, 10/1/25,
and 10/15/25.