



October 31, 2025

Ms. Kathleen Byrne

Director/Hearing Examiner

Montgomery County Office of Zoning and Administrative Hearings

Stella B. Werner Council Office Building

100 Maryland Avenue, Room 200

Rockville, Maryland 20850

Subject: Local Map Amendment No. H-159
Notley Road

Dear Ms. Byrne:

On October 30, 2025, the Montgomery County Planning Board of the Maryland-National Capital Park and Planning Commission reviewed Local Map Amendment No. H-159, a request to rezone 9.99 acres of a property assemblage fronting on New Hampshire Avenue from the R-200 Zone to the Commercial Residential Neighborhood Floating (CRNF) Zone. The requested zoning change would allow for residential development with a maximum of 130 dwelling units.

The Planning Board received a presentation from Planning staff, who recommended approval of the Local Map Amendment with binding elements that limit the project to residential use, increase minimum setback requirements from adjacent R-200 zoned residences, provide a higher rate of Moderately Priced Dwelling Units (MPDUs) than required by the base zone, and ensure compatibility with existing residences on Notley Road. The Applicant gave a brief presentation and responded to questions from the Planning Board.

Planning staff received over 150 pieces of written correspondence regarding the application. Key themes of concern included traffic capacity and safety, visitor parking, school capacity, environmental impacts, public services, project design, and zoning. Staff addressed these concerns in writing and in the Staff Report. Many of these issues will be further evaluated during the Preliminary Plan and Site Plan review phases.

The Planning Board discussed the proposed development's compatibility with the surrounding neighborhood, the proposed binding elements, and the Local Map Amendment process before endorsing the application and approving the associated Preliminary Forest Conservation Plan (No. F20250680). A total of 29 people provided testimony during the hearing, both in-person and virtually. Four participants shared testimony in favor of the proposed development. Of the 25 participants who voiced opposition, concerns included traffic volumes, congestion and safety, impacts to schools, loss of existing open space, and neighborhood compatibility. A significant volume of written testimony

Ms. Kathleen Byrne

October 31, 2025

Page 2

was also received after the staff report was posted; this testimony is included with the staff report and attachments to this letter.

The Board also heard a presentation from the Applicant, who requested a modification to Binding Element 3 to add “stacked flats” to the list of permitted residential building types. The Board did not modify Binding Element 3 as requested by the Applicant. After considering public testimony and the Applicant’s presentation, the Board recommended approval of LMA H-159 with the binding elements as recommended by staff.

The Local Map Amendment meets the findings set forth in Section 59-7.2.1.E.2 of the Zoning Ordinance, is consistent with the goals and recommendations of the 1997 *White Oak Master Plan*, *Thrive Montgomery 2050*, and other applicable County plans; and the Applicant has met the burden of proof by demonstrating that the proposed development will further the public interest and be compatible with adjacent development.

On a motion by Commissioner Hedrick, seconded by Vice Chair Linden, with Chair Harris voting in favor, Commissioner Bartley voting not in favor, and Commissioner Pedoeem abstaining, the Board recommended (3-1-1) that Local Map Amendment No. H-159 be approved with the binding elements enumerated in the Staff Report.

We hope the Planning Board’s recommendations and the attached Staff Report will be helpful to your proceedings. Please contact Mr. Troy Leftwich, Planner III, with any questions. Mr. Leftwich can be reached by phone at 301-495-4553 or via email at troy.leftwich@montgomeryplanning.org.

Sincerely,



Artie L. Harris

Chair

Attachments:

1. Staff Report
2. Correspondence received following Staff Report Posting