



RE: CU16-11

From Dean Packard <dean@packardassociatesllc.com>

Date Tue 3/11/2025 3:34 PM

To Byrne, Kathleen E. <Kathleen.Byrne@montgomerycountymd.gov>

Cc Kobylski, Linda <Linda.Kobylski@montgomerycountymd.gov>; Motazedi, Ehsan <Ehsan.Motazedi@montgomerycountymd.gov>; Nichols, Greg <Greg.Nichols@montgomerycountymd.gov>; Weadon, Tom <Tom.Weadon@montgomerycountymd.gov>; Kim, Hyungsun (Brian) <Brian.Kim@montgomerycountymd.gov>; Robert Kronenberg <robert.kronenberg@montgomeryplanning.org>; josh.kaye@montgomeryplanning.org <josh.kaye@montgomeryplanning.org>; Butler, Patrick <patrick.butler@montgomeryplanning.org>; Johnson, Nana <Nana.Johnson@montgomerycountymd.gov>

[EXTERNAL EMAIL]

Ms. Byrne, I understand. An additional \$200,000 was added to the loan to cover the unfinished costs. Everybody understand what needs to be done to complete the work in the existing community and why it has to come first. Settlement was supposed to be tomorrow afternoon, but Dave Linkous has to leave tomorrow morning to move his mother into a elderly home and won't be back until Sunday. I just met with everyone on the team and they moved closing until Monday. After closing the money will be wired into an account set up by Mike Hines. I have asked for the fully executed documents I sent you and anything else this afternoon. Unfortunately, I will not have anything specifically stating work will be done in the community first, but they know it has to be done first, and I will be under tremendous pressure to wrap it up quickly.

After closing and the money is moved into the account Mike Hines set up, I can show you the deposit of funds. I can get a commitment from Mike Hines that money from that account will flow to completing the unfinished work until complete, but the ultimate proof is seeing it done on the ground.

I am giving my time and expertise on other properties this team needs me for in exchange to help me finish phase 1. This is not an ideal place to be in, but it is the only way in know of with how to get it done.

I can ask for two weeks to show Mike has the money and is committed to fund it forward, with proof that contractors are working on the ground toward the goal, but I understand the position you are in and proof of work will be the only thing that will bring us back from where we have been.

I don't know what else to do or say but I will be there Thursday to listen.
Again, I am sorry for all of the trouble I am causing.

Dean Packard, PE

From: Byrne, Kathleen E. <Kathleen.Byrne@montgomerycountymd.gov>

Sent: Tuesday, March 11, 2025 9:11 AM

To: Dean Packard <dean@packardassociatesllc.com>

Cc: Kobylski, Linda <Linda.Kobylski@montgomerycountymd.gov>; Motazedi, Ehsan <Ehsan.Motazedi@montgomerycountymd.gov>; Nichols, Greg <Greg.Nichols@montgomerycountymd.gov>;

Weadon, Tom <Tom.Weadon@montgomerycountymd.gov>; Kim, Hyungsun (Brian) <Brian.Kim@montgomerycountymd.gov>; Robert Kronenberg <robert.kronenberg@montgomeryplanning.org>; josh.kaye@montgomeryplanning.org; Butler, Patrick <patrick.butler@montgomeryplanning.org>; Johnson, Nana <Nana.Johnson@montgomerycountymd.gov>

Subject: Re: CU16-11

Mr. Packard,

Nothing in the documents you provided identifies that any money will go toward satisfying the terms of the Preliminary Plan or terms of Conditional Use CU16-11 pursuant to the decision dated December 2, 2016. The purpose of the formation of Garrett Gateway Partners II is to "acquire the Asbury Properties, and fund the entitlement process until the point at which the Company achieves a subdivision of the plat allowing for an anticipated twenty-eight (28) lots..." Additionally, the signature line for Mr. Linkous is unsigned in both documents. You have only provided an email saying you have cash to finish the work, but no proof of funds specifically identified to complete the work required to bring the property into compliance. What proof do you have that you have enough funds specifically earmarked to complete the work required on "Phase I"?

Katy Byrne

Kathleen E. Byrne
Director/Hearing Examiner
Office of Zoning and Administrative Hearings
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Rockville Maryland 20850
240-777-6667

From: Dean Packard <dean@packardassociatesllc.com>
Sent: Monday, March 10, 2025 12:08 PM
To: Byrne, Kathleen E. <Kathleen.Byrne@montgomerycountymd.gov>
Subject: CU16-11

[EXTERNAL EMAIL]

Ms. Byrne, the investment team came through and we have it in stone this time. All parties are signing the remaining paperwork tomorrow and closing is scheduled for Wednesday afternoon.

I will send a formal email to the whole group now, but I just walked over to your office now and it was locked. I slipped copies of the two attached documents under your door.

The arrangement made with the investor and the new team is to borrow \$850,000 cash on Wednesday, wired after settlement, with the understanding that the first \$200,000 +/- will go to finishing the site work in the existing community. I will be prepared to pay any outstanding invoices, engage the WSSC, PEPCO, Montgomery County DPS and the needed contractors to begin work once the funds show up in the GGP2 account. This will be possible with the investors capital to buy out Steve Wasser, the current controlling partner in GGP2 who has been blocking the funds release to complete the work and obtain compliance with CU 16-11. He has agreed to a contract to allow a partial cash payment and a second trust be placed on the property for the balance in exchange for his exit from GGP2.

The three members in the new entity, myself, Mike Hines (builder), and Dave L. (investor/developer, will take control of GGP2 and proceed with the site work and allow me to complete the plans for "Phase 2".

This has been in the works for 3 weeks and the document signing process started on 3/6. We are all meeting tomorrow to finalize the next steps and my first job is to reach out to you to finally say that there is a comprehensive deal with professionals to do everything. They all are intrigued by the Design for Life community design plans and are securing a \$15,000,000 credit line to begin multiple DFL projects. The investor also has multiple separate projects he needs my expertise on to move forward and we have started a two-way relationship, beginning with the conditional use compliance.

I will breathe finally when settlement occurs on Wednesday and the money is wired on Thursday. This has been a rollercoaster ride, and I appreciate everyone holding on to faith that this will get done without imploding the conditional use, agreements, permits and bonds. Since I am signing my life away to be a part of this arrangement, I will have access to the wiring instructions and deposit into the account, which I will forward upon receipt this week.

This all was fought to an agreement when I had to travel to Orlando to test for my 2nd degree black belt test Thursday, and today is my 65th birthday.

I have the package ready to go to the WSSC to complete the permit for the water tap and the invoice to pay PEPCO to install the meter for the street lights. I am contacting the concrete, water tap and paving contractors now to begin work. I will give the county and neighbors 48 hours notice as to when work will begin.

Finally,

Dean Packard, PE



For more helpful Cybersecurity Resources, visit:
<https://www.montgomerycountymd.gov/cybersecurity>