



Planet Depos®
We Make It *Happen*™

Transcript of Hearing

Date: February 6, 2025

Case: Tri Pointe Homes DC, Inc. (LMA H-156)

Planet Depos

Phone: 888.433.3767 | **Email:** transcripts@planetdepos.com

www.planetdepos.com

Michigan #8598 | Nevada #089F | New Mexico #566

WORLDWIDE COURT REPORTING & LITIGATION TECHNOLOGY

Transcript of Hearing
Conducted on February 6, 2025

1 (1 to 4)

<p style="text-align: right;">1</p> <p>1 OFFICE OF ZONING AND ADMINISTRATIVE HEARINGS</p> <p>2 FOR MONTGOMERY COUNTY, MARYLAND</p> <p>3</p> <p>4</p> <p>5 -----x</p> <p>6 In Re Application Of:</p> <p>7 Tri Pointe Homes DC, Inc. (LMA H-156)</p> <p>8 -----x</p> <p>9</p> <p>10 HEARING BEFORE EXAMINER KHANDIKILE MVUNGA SOKONI</p> <p>11 Rockville, Maryland</p> <p>12 Thursday, February 6, 2025</p> <p>13 11:30 a.m.</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23 Job No: 556425</p> <p>24 Pages: 1 - 118</p> <p>25 Transcribed by: Nicole Mastrosimone</p>	<p style="text-align: right;">3</p> <p>1 A P P E A R A N C E S</p> <p>2</p> <p>3 ON BEHALF OF THE APPLICANT:</p> <p>4</p> <p>5 PATRICK L. O'NEIL, ESQUIRE</p> <p>6 VINCE G. BIASE, ESQUIRE</p> <p>7 LERCH, EARLY & BREWER</p> <p>8 7600 Wisconsin Avenue, Suite 700</p> <p>9 Bethesda, Maryland 20814</p> <p>10 301-841-3845</p> <p>11</p> <p>12 ALSO PRESENT:</p> <p>13 Sachin Kalbag, VIKa</p> <p>14 Giovanni Esposito, Tri Pointe Homes</p> <p>15 Michael Goodman, VIKa</p> <p>16 Esra Soytutan, VIKa</p> <p>17 Nick Driban, Lenhart Traffic Consulting Inc.</p> <p>18 Jeffrey Kahn, Zoom Technician</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>
<p style="text-align: right;">2</p> <p>1 Hearing held at:</p> <p>2</p> <p>3</p> <p>4</p> <p>5 Montgomery County Office of Zoning and</p> <p>6 Administrative Hearings</p> <p>7 100 Maryland Avenue</p> <p>8 County Office Building</p> <p>9 Room 200</p> <p>10 Rockville, Maryland 20850</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19 Before Konly Harding, Notary Public in and</p> <p>20 for the State of Maryland.</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p style="text-align: right;">4</p> <p>1 C O N T E N T S</p> <p>2</p> <p>3 OPENING STATEMENT PAGE</p> <p>4 By Mr. O'Neil 23</p> <p>5</p> <p>6 WITNESSES PAGE</p> <p>7 Sachin Kalbag</p> <p>8 By Mr. O'Neil 28</p> <p>9</p> <p>10 Giovanni Esposito</p> <p>11 By Mr. Biase 76</p> <p>12</p> <p>13 Michael Goodman</p> <p>14 By Mr. O'Neil 86</p> <p>15</p> <p>16 NICHOLAS DRIBAN</p> <p>17 By Mr. Biase 99</p> <p>18</p> <p>19 CLOSING STATEMENTS PAGE</p> <p>20 By Mr. O'Neil 110</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>

Transcript of Hearing
Conducted on February 6, 2025

2 (5 to 8)

<div>5</div> <div>1 E X H I B I T S (Retained by the Court.)</div> <div>2 EXHIBITS PAGE</div> <div>3</div> <div>4 1 LMA Application 116</div> <div>5 2 Letter of Authorization 116</div> <div>6 3 Persons with percent Interest 116</div> <div>7 4 Financial Disclosure Statements 116</div> <div>8 6 Notification List 116</div> <div>9 7 Certified Zoning Map 116</div> <div>10 8 ID Plat 116</div> <div>11 9 Legal Description of Property 116</div> <div>12 16 NRI/FSD 116</div> <div>13 19 Land Planning Report 116</div> <div>14 20 PFCP Application 116</div> <div>15 21 PFCP Composite Details 116</div> <div>16 2 DOT Application 116</div> <div>17 24 Tree Variance 116</div> <div>18 25 Architectural Elements 116</div> <div>19 27 Technical Staff Report 116</div> <div>20 28 Planning Board Transmittal Memo 116</div> <div>21 29 Public Hearing Notice 116</div> <div>22 30 Applicant's Pre-Hearing Statement 116</div> <div>23 32 Amended Recreation Plan 116</div> <div>24 33 Amended Grading and Utility Plan 116</div> <div>25 34 Amended Fire Department Access Plan 116</div>	<div>7</div> <div>1 PROCEEDINGS</div> <div>2 Whereupon,</div> <div>3 (The reporter was sworn.)</div> <div>4 HEARING EXAMINER SOKONI: All right. Good</div> <div>5 morning, ladies and gentlemen. We are gathered</div> <div>6 for the public hearing on a Local Map Amendment</div> <div>7 application request. The case number is H-156,</div> <div>8 the Applicant, Tri Pointe Homes DC Metro, Inc,</div> <div>9 with Gio Esposito, Development Manager. Contact</div> <div>10 Information, 12435 Park Potomac Avenue, Suite 600,</div> <div>11 Potomac, Maryland 20854.</div> <div>12 Just to check with the Zoom Operator, do</div> <div>13 we have anyone on Zoom? Do we have anyone? No</div> <div>14 one? Okay. We're all set. It is a hybrid</div> <div>15 hearing. We don't have anyone on Zoom. If that</div> <div>16 changes, I'll get into the Zoom stuff. I'll skip</div> <div>17 over that for now, since we don't really have</div> <div>18 anyone on Zoom.</div> <div>19 This is a public hearing of the Local Map</div> <div>20 Amendment request that was submitted by the</div> <div>21 Applicant. The Local Map Amendment application is</div> <div>22 requesting a rezoning of the subject property.</div> <div>23 My apologies. I was supposed to be -- my</div> <div>24 first announcement was supposed to be please use</div> <div>25 your mic. You should -- it's defaulting onto a</div>
<div>6</div> <div>1</div> <div>2 EXHIBITS CONTINUED</div> <div>3 EXHIBIT PAGE</div> <div>4 35 Amended Open Space Plan 116</div> <div>5 36 Amended Circulation Plan 116</div> <div>6 37 Amended Concept Stormwater Plan 116</div> <div>7 38 Amended Statement of</div> <div>8 Justification 116</div> <div>9 39 Amended Traffic Statement 116</div> <div>10 40 Amended PFCP Composite Plan 116</div> <div>11 41 Affidavit of Sign Posting 116</div> <div>12 42 Aerial Existing Conditions 116</div> <div>13 43 Illustrative Housing Design</div> <div>14 and Layout 116</div> <div>15 44 Amended Draft Declaration of</div> <div>16 Covenants 116</div> <div>17 45 Amended Floating Zone Plan 116</div> <div>18</div> <div>19</div> <div>20</div> <div>21</div> <div>22</div> <div>23</div> <div>24</div> <div>25</div>	<div>8</div> <div>1 red, and if you just press it, it turns green.</div> <div>2 When you're not speaking, please turn it off. So</div> <div>3 I was just demonstrating what to not do. Okay.</div> <div>4 But I'm hoping everyone heard everything before</div> <div>5 that.</div> <div>6 So the application, this Local Map</div> <div>7 Amendment application proposes to rezone the</div> <div>8 subject property located at 7501-7515 Standish</div> <div>9 Place, 7519 Standish Place, 7529 Standish Place</div> <div>10 and 7609-7623 Standish Place from the current</div> <div>11 zone, which is Industrial Moderate Zone, IM 2.5,</div> <div>12 to Commercial Residential Neighborhood Floating</div> <div>13 Zone, CRNF-1.25, C-0.0, R-1.25, H-60' Zone. And I</div> <div>14 took that right off of the application. If I have</div> <div>15 any part of that wrong, please don't hesitate to</div> <div>16 interrupt and let me know. And this would be</div> <div>17 to -- the Applicant is seeking to rezone from the</div> <div>18 zone mentioned to the zone mentioned for the</div> <div>19 construction of up to 210 dwelling units subject</div> <div>20 to some binding elements that are spelled out in</div> <div>21 the exhibits that the Applicant will point out for</div> <div>22 us.</div> <div>23 This hearing is being conducted in hybrid</div> <div>24 format, which means individuals may participate by</div> <div>25 Zoom. At present, we don't have any Zoom</div>

Transcript of Hearing
Conducted on February 6, 2025

3 (9 to 12)

<p>9</p> <p>1 participation, and off the record I had asked 2 everyone present to sign in with a sign-in sheet 3 at the back. 4 Introduction, my name is Khandikile 5 Sokoni. I don't hold it against you if you can't 6 spell it. I made sure I put business cards for 7 everyone. Sokoni, S-O-K-O-N-I. I am the Hearing 8 Examiner in this case, which means that I will 9 listen to the evidence. I will listen to the 10 testimony and review the evidence. At the end of 11 this whole process, I will render a report and 12 recommendation for submission to the District 13 Council pursuant to the criteria set forth in the 14 Local Map Amendment Article in the Zoning 15 Ordinance Chapter 59 Sections 7.2.1 of the 16 Montgomery County Zoning Code. My report and 17 recommendation will be issued within 45 days of 18 the closing of the record, and I'll get to this at 19 the end. We typically keep the record open for an 20 extra 10 business days from the date of the 21 hearing. So from when the record closes, I have 22 45 days to issue my report. By my current count I 23 believe from today, if I exclude the weekends and 24 I think we have Presidents Day coming up, we may 25 land on February 16 as the date that the record</p>	<p>11</p> <p>1 planner and civil engineer, respectively. And 2 Nick Driban with Lenhart Traffic Consulting 3 Incorporated is our traffic engineer and 4 transportation consultant for this matter. And we 5 will be calling them as witnesses. And we have 6 others, depending on what the Hearing Examiner 7 would like to hear, if it's outside of their area 8 of expertise to comment on any issues that you 9 would want to hear about. 10 THE HEARING EXAMINER: Thank you. Do we 11 have anyone in opposition to this application? 12 Hearing none, let me go to -- okay. 13 Nature of the proceedings, it's an administrative 14 proceeding, which means it's fairly informal, not 15 as formal as a court trial, but we do have rules 16 of procedure. You know, in short, I don't stand 17 on form. It's, you know, substance over form, but 18 we do have some procedural rules I just want to go 19 over. 20 There's an opportunity for opening 21 statements. Since we don't have any opposition 22 here, you know, some of the cross-examination 23 rules can be disregarded, but I do have to on the 24 record just state that parties have the 25 opportunity for opening statements. The Applicant</p>
<p>10</p> <p>1 will close. 2 Any party of record or any aggrieved party 3 may within 10 days after I issue a report and 4 recommendation to the District Council file a 5 written request with the District Council to 6 present oral argument. Any party who wishes to 7 submit a request for oral argument must send that 8 request to all parties of record in this case. 9 I would like to turn to the counsel to 10 identify yourself and all parties, and your -- I'm 11 sorry. We will do the identification of all 12 parties, so turning to Applicant's counsel. 13 MR. O'NEIL: Excellent. Thank you, 14 Ms. Sokoni. For the record, I am Patrick O'Neil 15 with the Law Firm of Lerch, Early and Brewer in 16 Bethesda, Maryland. With me here today as 17 cocounsel is my colleague, Vince Biase, to my 18 left. Our firm represents the Applicant in this 19 case, Tri Pointe Homes DC Metro Inc. With us 20 today on behalf of Tri Pointe Homes DC Metro Inc. 21 is Giovanni Esposito, who you already have 22 identified as a contact person for the Local Map 23 Amendment. He's a land entitlements manager for 24 the Applicant. Sachin Kalbag and Michael Goodman 25 are with VIKA Maryland, and they are our land</p>	<p>12</p> <p>1 always goes first and has the burden of showing 2 their entitlement to the relief sought. If 3 there's any opposing party, they go next. We 4 don't have any here. Any other interested persons 5 then may present any factual case. Do we have any 6 other interested persons in the room who are not 7 necessarily associated with the Applicant? 8 Hearing none, then of course now I will 9 skip over the rules on rebuttal and objections, 10 because the only party present is the Applicant 11 here. 12 I do want to mention to all witnesses that 13 any testimony you give will be under oath. 14 So in that case, I will give you free 15 reign. We don't have opposition, so I'll give you 16 free reign. Of course, you may present -- as far 17 as the witnesses, and I saw that you did submit 18 and I hope that when we get to the relevant part, 19 you present their credentials; or, if they've 20 already been qualified in this before OZHA, then 21 we can dispense with that. But we'll get to it 22 when we get to it. You're welcome to have factual 23 witnesses that will be representatives from the 24 Applicant who can tell us a bit about their 25 operations and exactly what's going on, because,</p>

Transcript of Hearing
Conducted on February 6, 2025

4 (13 to 16)

<p>13</p> <p>1 of course, the experts are the experts, but we do 2 need factual testimony for the record. 3 I'll turn it over to you, counsel. 4 MR. O'NEIL: Excellent. Thank you. As a 5 starting matter, we want to apologize for the 6 flurry of exhibits that came to the Hearing 7 Examiner this week. We were under the mistaken 8 belief that the record available to Park and 9 Planning was available to the Hearing Examiner's 10 office. And so when that became clear with your 11 inquiry to make sure all the exhibits were 12 up-to-date, we did scurry to make sure that all 13 the exhibits, the appropriate exhibits were in the 14 record. With that -- 15 THE HEARING EXAMINER: That's totally 16 understood. In fact, you would not be the first. 17 Members of the public actually get -- because 18 you're absolutely right. We have this OZAH 19 proceeding, but it's preceded by a Planning Board 20 proceeding, where, in fact, a lot of overlap of 21 the same records. 22 MR. O'NEIL: Yes. 23 THE HEARING EXAMINER: Okay. Now I 24 understand better what happened. 25 MR. O'NEIL: Again, apologies for that.</p>	<p>15</p> <p>1 small number of exhibits, mostly for orientation 2 purposes. 3 THE HEARING EXAMINER: Okay. 4 MR. O'NEIL: And those are the obvious 5 ones. Those are going to be an aerial that we 6 have in the record, or that's been submitted in 7 the record. 8 THE HEARING EXAMINER: Okay. 9 MR. O'NEIL: And the Local Map Amendment 10 plan primarily. Yeah. 11 THE HEARING EXAMINER: Okay. In that 12 case, why don't we dispense with that at the 13 outset? Because I am relying on the exhibit list 14 so -- 15 MR. O'NEIL: So if I may approach, the 16 exhibits that we have kept track of that have been 17 submitted electronically that need a paper 18 companion include the following. It's Exhibit 25, 19 Exhibits 31 through 44. 20 THE HEARING EXAMINER: So 25 is the -- we 21 have that noted as crossed out. You've replaced 22 it with -- this is the architectural -- 23 MR. O'NEIL: Correct. So now that's a 24 cleanup item. That should be reinstated, the 25 architectural elements as an actual exhibit. We</p>
<p>14</p> <p>1 But so in the flurry that took place, there was a 2 back and forth with your office and the Applicant 3 on getting these in, and I think we're pretty 4 close. My understanding at this point, as a 5 cleanup matter -- and we can do this now, or we 6 can do it after the hearing or toward the end of 7 the hearing -- we have all the hard copies of 8 exhibits that have been identified in the virtual 9 record that is posted on OZAH's website, and we 10 can deliver them to you en masse or one by one. 11 And so I leave it up to your preference how you 12 would like to handle that. Then there's a couple 13 cleanup items based upon that submittal. 14 THE HEARING EXAMINER: Okay. My 15 preference would be to introduce them as we get to 16 them. 17 MR. O'NEIL: Okay. 18 THE HEARING EXAMINER: I may be better 19 able to keep track of them if we -- you probably 20 have a presentation format. So what fits? What 21 fits best with -- 22 MR. O'NEIL: It's probably best to clean 23 up the exhibit list first. 24 THE HEARING EXAMINER: Okay. 25 MR. O'NEIL: We're going to refer to a</p>	<p>16</p> <p>1 understand why it was interpreted to have been 2 replaced, but the other item, which is identified 3 as Exhibit 43, illustrative housing design and 4 layout is a different exhibit. So that should be 5 reinstated, 25, and then we have the hard copy 6 that you had requested. 7 THE HEARING EXAMINER: Okay. So let's go 8 through them one by one. 9 MR. O'NEIL: Okay. 10 THE HEARING EXAMINER: I'm assuming no 11 objection from anyone. 25 is reinstated, what you 12 previously had submitted as architectural elements 13 is not replaced by 43. 43 is a standalone 14 exhibit? 15 MR. O'NEIL: Correct. 16 THE HEARING EXAMINER: Noted and approved. 17 MR. O'NEIL: And then the other exhibits 18 were the 31 through 44, and those are all the 19 exhibits that follow our prehearing statement that 20 was submitted both electronically in paper copy. 21 THE HEARING EXAMINER: So for Exhibits 31 22 through 34, which are already online right now -- 23 MR. O'NEIL: Correct. 24 THE HEARING EXAMINER: -- you now have the 25 corresponding hard copy.</p>

Transcript of Hearing
Conducted on February 6, 2025

5 (17 to 20)

17	<p>1 MR. O'NEIL: Yes.</p> <p>2 THE HEARING EXAMINER: And could you</p> <p>3 kindly go through what they are for record?</p> <p>4 MR. O'NEIL: Sure. So 31 is Amended</p> <p>5 Floating Zone Plan, and there was a caveat there</p> <p>6 that we had talked about and I'll state for the</p> <p>7 record. The current OZAH file only indicates one</p> <p>8 plan. It's FZP-2. That package is actually four</p> <p>9 plans that comprise the Amended Floating Zone</p> <p>10 Plan, and there's FZP-1, FZP-2, FZP-3 and FZP-4,</p> <p>11 the most substantive of which is FZP-2, which is</p> <p>12 why that was submitted separately. But we do want</p> <p>13 to get that package in for completeness. So we</p> <p>14 have hard copies for that, and I will follow those</p> <p>15 with electronic copies.</p> <p>16 THE HEARING EXAMINER: Okay.</p> <p>17 MR. O'NEIL: 32, Exhibit 32 is Amended</p> <p>18 Recreation Plan. Exhibit 33 is Amended Grading</p> <p>19 and Utility Plan. Exhibit 34 is Amended Fire</p> <p>20 Department Access Plan; Exhibit 35, Amended Open</p> <p>21 Space Plan; Exhibit 36, Amended Circulation Plan;</p> <p>22 37, Amended Concept Stormwater Plan; 38, Amended</p> <p>23 Statement of Justification; 39 Amended Traffic</p> <p>24 Statement; 40 Amended PHCP Composite Plan; 41,</p> <p>25 Affidavit of Signposting; 42, Aerial Existing</p>	19	<p>1 otherwise, the three other companion pages will be</p> <p>2 submitted.</p> <p>3 THE HEARING EXAMINER: That sounds good.</p> <p>4 Okay.</p> <p>5 MR. O'NEIL: And a couple other cleanup</p> <p>6 items, if I may, on the exhibits.</p> <p>7 THE HEARING EXAMINER: Yes.</p> <p>8 MR. O'NEIL: We noticed that a couple of</p> <p>9 the exhibits online don't have the stamp. Don't</p> <p>10 know if that's just a catch-up item, but we just</p> <p>11 wanted to point that out to the Hearing Examiner</p> <p>12 that we did notice that.</p> <p>13 THE HEARING EXAMINER: Yes.</p> <p>14 MR. O'NEIL: And assume that it will be</p> <p>15 taken care of.</p> <p>16 THE HEARING EXAMINER: Yes. So I just</p> <p>17 want to mention logistically that some of the ones</p> <p>18 that don't have a stamp, it's actually an -- the</p> <p>19 engineers can explain it better than I can. Once</p> <p>20 they lock their maps, there's a point beyond which</p> <p>21 we can not edit it.</p> <p>22 MR. O'NEIL: Okay.</p> <p>23 THE HEARING EXAMINER: So it's -- I</p> <p>24 wouldn't worry about it too much.</p> <p>25 MR. O'NEIL: Okay.</p>
18	<p>1 Conditions; 43, Illustrative Housing Design and</p> <p>2 Layout; and 44, Amended Draft Declaration of</p> <p>3 Covenants.</p> <p>4 THE HEARING EXAMINER: So hard copies of</p> <p>5 all of those with the exception of 31, which</p> <p>6 online is incomplete.</p> <p>7 MR. O'NEIL: Correct.</p> <p>8 THE HEARING EXAMINER: 32 through 44 are</p> <p>9 already posted online, and the hard copies are</p> <p>10 accepted. So is the -- 31 is accepted, but I just</p> <p>11 note for the record that when we get to it we will</p> <p>12 not be able to pull four pages --</p> <p>13 MR. O'NEIL: Correct.</p> <p>14 THE HEARING EXAMINER: Whenever you get to</p> <p>15 it, we can look at the hard copy.</p> <p>16 MR. O'NEIL: Correct.</p> <p>17 THE HEARING EXAMINER: But following the</p> <p>18 hearing, we would certainly make the -- is it a</p> <p>19 four-page --</p> <p>20 MR. O'NEIL: It's a four page. And, in</p> <p>21 reality, the FZP-2, which is online, will be the</p> <p>22 reference exhibit that we can call up, if that's</p> <p>23 okay.</p> <p>24 THE HEARING EXAMINER: I see. Yes.</p> <p>25 MR. O'NEIL: -- to talk from. But,</p>	20	<p>1 THE HEARING EXAMINER: Because when you go</p> <p>2 online, the link will say exhibit such and such.</p> <p>3 We do try to mark them just for -- you know, once</p> <p>4 you open it so you can always see what exhibit you</p> <p>5 had opened. But you notice there was the one you</p> <p>6 asked -- we had a notation saying, you know,</p> <p>7 provide editable version.</p> <p>8 MR. O'NEIL: Yes.</p> <p>9 THE HEARING EXAMINER: That was an</p> <p>10 internal note to follow up with the engineers on</p> <p>11 do we have an unlocked one or follow up with you.</p> <p>12 So I wouldn't worry about it right now, but at</p> <p>13 some point I think -- it's a little bit beyond my</p> <p>14 expertise. I'll check in with Staff about whether</p> <p>15 we can internally still go in and edit, but I do</p> <p>16 know that some of the documents are locked.</p> <p>17 MR. O'NEIL: Understood. Again, I just</p> <p>18 wanted to make sure that we're sort of</p> <p>19 communicating effectively.</p> <p>20 THE HEARING EXAMINER: Sure.</p> <p>21 MR. O'NEIL: And you certainly make us</p> <p>22 feel better that the stamp is not as critical as</p> <p>23 it might be otherwise.</p> <p>24 THE HEARING EXAMINER: No. It's simply</p> <p>25 for ease of reference.</p>

Transcript of Hearing
Conducted on February 6, 2025

6 (21 to 24)

<p>21</p> <p>1 MR. O'NEIL: Okay.</p> <p>2 THE HEARING EXAMINER: It doesn't change</p> <p>3 any substance.</p> <p>4 MR. O'NEIL: And the only other matter of</p> <p>5 specific inquiry is that the Hearing Examiner's</p> <p>6 preference for putting your report together. When</p> <p>7 we took the final look at the exhibit list, we</p> <p>8 noted that Exhibit 24 -- and perhaps you can call</p> <p>9 that up, if you don't mind -- is the tree variance</p> <p>10 request or the tree variance description. This is</p> <p>11 a page taken from the statement of justification</p> <p>12 that describes the tree variance. In reality, the</p> <p>13 tree variance request to the environmental review</p> <p>14 or the mid-county team for Park and Planning is an</p> <p>15 attachment to the Technical Staff Report, which is</p> <p>16 Exhibit 27 as Exhibit C to that report. I don't</p> <p>17 know whether you want that called out and in the</p> <p>18 right -- or not the right, but in the tree</p> <p>19 variance exhibit that's listed in the record, or</p> <p>20 whether you're comfortable with what I described.</p> <p>21 THE HEARING EXAMINER: I think what you</p> <p>22 described is clear, so I'm comfortable with that.</p> <p>23 Thank you.</p> <p>24 MR. O'NEIL: Okay. And with that, I think</p> <p>25 those are all -- oh, last one. You had indicated</p>	<p>23</p> <p>1 THE HEARING EXAMINER: The 11 by 17?</p> <p>2 MR. O'NEIL: Yeah. And this is the 37,</p> <p>3 which was the stormwater concept that you wanted a</p> <p>4 full size and we made sure that was part of the</p> <p>5 record.</p> <p>6 THE HEARING EXAMINER: That was the only</p> <p>7 one I was concerned about having a full size, so</p> <p>8 the rest are fine in 11 by 17.</p> <p>9 MR. O'NEIL: Okay. Do you want to hold</p> <p>10 that up there since they've been accepted by you?</p> <p>11 THE HEARING EXAMINER: Yes, they have.</p> <p>12 Yes. Thank you.</p> <p>13 MR. O'NEIL: Thank you. So I think those</p> <p>14 are all the cleanup items. Thank you for your</p> <p>15 indulgence on trying to get that right so that we</p> <p>16 have a clear pathway going forward.</p> <p>17 A very small opening statement. I want to</p> <p>18 get right to the witnesses, as I'm sure you do.</p> <p>19 And we're thrilled that there are no neighborhood</p> <p>20 or opposition people here, so it hopefully makes</p> <p>21 things easier for all of us. But we're thrilled</p> <p>22 that that is the case, and would like to think</p> <p>23 that we had significant communication along the</p> <p>24 way to make people comfortable with what we're</p> <p>25 proposing.</p>
<p>22</p> <p>1 you would like some full size and others 11 by 17.</p> <p>2 There are plan versions of the exhibits that have</p> <p>3 been identified. You had identified one in</p> <p>4 particular, Stormwater Concept Plans, which are --</p> <p>5 the amended one, which is Exhibit 37. We have</p> <p>6 that as a full size copy. The rest are 11 by 17.</p> <p>7 If when you do see the hard copies you want a full</p> <p>8 size copy, you know, between the time that the</p> <p>9 hearing ends and the record closes, we're happy to</p> <p>10 supplement that, but just wanted to point that out</p> <p>11 for your comfort and edification.</p> <p>12 THE HEARING EXAMINER: Okay. Thank you</p> <p>13 very much. I appreciate it. We'll have the 10</p> <p>14 days of the record open. So if we do -- you will</p> <p>15 pull them up. Actually, why don't I see them now?</p> <p>16 Then I can -- because when I'm closing --</p> <p>17 MR. O'NEIL: May I approach?</p> <p>18 THE HEARING EXAMINER: Yes, please.</p> <p>19 MR. O'NEIL: So these are in the order</p> <p>20 that I had identified them.</p> <p>21 THE HEARING EXAMINER: On the 11 by 17.</p> <p>22 MR. O'NEIL: Yes. So that's, for example,</p> <p>23 the architectural elements. That was a catch-up</p> <p>24 item that are going to be reinstated. That's</p> <p>25 what --</p>	<p>24</p> <p>1 THE HEARING EXAMINER: And talking about</p> <p>2 no neighborhood, you know, no opposition, I do</p> <p>3 note that you have, among the documents here, an</p> <p>4 affidavit of posting.</p> <p>5 MR. O'NEIL: Yes. Correct, correct.</p> <p>6 Thank you. So, as you indicated, we're here for a</p> <p>7 Local Map Amendment to request rezoning of the</p> <p>8 property that you had identified.</p> <p>9 It is, for the record, 13.86 acres. There</p> <p>10 are some components of the application that</p> <p>11 describe the property as 12.72 acres. That's the</p> <p>12 net land area for the property. So the 13.86 area</p> <p>13 of rezoning constitutes all the prior dedications</p> <p>14 that have taken place over time.</p> <p>15 The property is bounded by Crabbs Branch</p> <p>16 Way and Standish Drive -- Standish Place -- I'm</p> <p>17 sorry -- in Derwood, Maryland, and is being</p> <p>18 rezoned in the manner that the Hearing Examiner</p> <p>19 had identified. The zoning that we're seeking</p> <p>20 will accommodate the redevelopment of what's</p> <p>21 essentially an aged office park into a residential</p> <p>22 community with a variety of housing options, along</p> <p>23 with meaningful open spaces that we had</p> <p>24 significant conversations with Staff on how to</p> <p>25 create and ensure. And if it's approved, as you</p>

Transcript of Hearing
Conducted on February 6, 2025

7 (25 to 28)

<p>25</p> <p>1 indicated, the Local Map Amendment will 2 accommodate a mix of up to 210 townhouse and 3 two-unit condominiums. And we took significant 4 attention to make sure that this proposal, the 5 proposed housing design is going to be compatible 6 with the surrounding neighborhood. And we worked 7 closely with technical Staff, as I indicated, to 8 get to that point.</p> <p>9 The Montgomery County Planning Board 10 reviewed and voted unanimously to recommend 11 approval of the LMA at the regularly-scheduled 12 meeting on December 19, 2024. The Planning Board 13 was extremely supportive of the application, and 14 even discussed ways to streamline the process to 15 accommodate applications like this to come forward 16 in the future, particularly for those that are in 17 close proximity to Metro. And as you know from 18 your review of the record, the Planning Board's 19 transmittal letter is in the record as Exhibit 28.</p> <p>20 Over the past year, the Applicant has 21 engaged in meaningful and extensive discussions 22 with Staff and voluntarily presented the 23 application to the Shady Grove Sector Plan 24 Implementation Advisory Committee on April 10, 25 2024. And this is a neighborhood committee</p>	<p>27</p> <p>1 THE HEARING EXAMINER: I'm ready to 2 proceed.</p> <p>3 MR. O'NEIL: Okay. First witness is 4 Sachin Kalbag. And, Sachin, if you could state 5 your full name and primary occupation for the 6 record.</p> <p>7 THE WITNESS: Sachin Kalbag, Land Planner.</p> <p>8 MR. O'NEIL: And we're going to go 9 through -- Sachin has not been recognized as an 10 expert before OZAH before, and so we're going to 11 go through the process to hopefully make you feel 12 comfortable that he can be admitted as an expert.</p> <p>13 THE HEARING EXAMINER: Sure. And for the 14 benefit -- I should have mentioned this in my 15 intro. The proceeding is being recorded verbatim 16 by a court reporter. So whenever we have 17 introductions, kindly spell your name. It's 18 possible you may have already shared business 19 cards, but just for the record if we could have a 20 spelling of the name.</p> <p>21 THE WITNESS: Sure. Sachin Kalbag, first 22 name S-A-C-H-I-N, last name K-A-L-B-A-G.</p> <p>23 THE HEARING EXAMINER: Thank you.</p> <p>24 SACHIN KALBAG, 25 was examined and testified as follows:</p>
<p>26</p> <p>1 responsible for advising the Planning Board on the 2 development activities in this sector plan. And 3 during that time that we presented, the Committee 4 was enthusiastic about the proposal and the 5 opportunities it offered. And, as you can see, 6 there's no opposition to the plan.</p> <p>7 Through our witnesses today, we will 8 demonstrate, among other things, that the 9 application satisfies the standards, requirements 10 and findings necessary for the District Council to 11 approve the LMA. We will also demonstrate that 12 the application meets the development standards, 13 purposes and requirements of the CRNF Zone. We'll 14 show that the public facilities and services will 15 be adequate to serve the proposed development, and 16 the application substantially conforms with the 17 recommendations of the 2021 Shady Grove Minor 18 Master Plan Amendment; and, lastly, the rezoning 19 and proposed development is appropriate for this 20 property and compatible with the surroundings. 21 And, lastly -- I spoke too soon. The last one, 22 we'll show it's in the public interest.</p> <p>23 So with that, we'll be calling four 24 witnesses we've indicated, and we're ready to go 25 when the Hearing Examiner is ready.</p>	<p>28</p> <p>1 DIRECT EXAMINATION BY COUNSEL FOR THE APPLICANT 2 BY MR. O'NEIL:</p> <p>3 Q Mr. Kalbag, how long have you been 4 employed as a professional land planner?</p> <p>5 A I've been employed for over 25 years.</p> <p>6 Q And can you describe your professional 7 educational background and any professional 8 designations or accreditations you've received?</p> <p>9 THE HEARING EXAMINER: My apologies. I 10 should have administered the oath.</p> <p>11 MR. O'NEIL: Okay.</p> <p>12 THE HEARING EXAMINER: If you would kindly 13 raise your right hand.</p> <p>14 (The witness was sworn.)</p> <p>15 THE HEARING EXAMINER: Thank you. You may 16 proceed.</p> <p>17 MR. O'NEIL: Can we continue where we left 18 off, or do you want to start --</p> <p>19 THE HEARING EXAMINER: Just the -- if you 20 could state the qualifications under oath, just 21 restate the qualifications.</p> <p>22 THE WITNESS: I have over 25 years of 23 experience in land planning, development, 24 architecture and urban design.</p> <p>25 THE HEARING EXAMINER: Thank you.</p>

<p>29</p> <p>1 Q Any designations or accreditations you've 2 received? 3 A Yes. I'm accredited with the American 4 Institute of Certified Planners, or it's called 5 AICP. 6 Q Who is your current employer, and what is 7 your employer's full business address? 8 A My current employer is VIKA Maryland LLC. 9 The address is at 20251 Century Boulevard, 10 Germantown, Maryland, and that's -- 22874 is the 11 zip code. 12 Q Your current position at VIKA, and your 13 responsibilities with that position? 14 A Yeah, I'm the planning and urban design 15 leader with VIKA. My responsibilities is managing 16 large entitlements like this, and getting them 17 through the entitlement reviews process and 18 getting them approved. 19 Q How long have you been with VIKA? 20 A I've been with VIKA for about a year and a 21 half now. 22 Q And we indicated previously, but have you 23 ever testified as an expert before the Montgomery 24 County Office of Zoning and Administrative 25 Hearings?</p>	<p>31</p> <p>1 A Yes, I'm familiar with the application, 2 and helped prepare the associated land planning 3 documents and reports. 4 Q Can you describe your responsibilities 5 with regard to the LMA application? 6 A My responsibility is to manage the 7 documentation, and submittal and approval of the 8 project application. 9 Q Have you made a personal inspection of the 10 Local Map Amendment area site, and are you 11 familiar with the area surrounding the property? 12 A Yes, I personally visited the site. I'm 13 familiar with the site, the topography, the 14 surrounding neighborhood and the circulation 15 system. 16 MR. O'NEIL: And at this time if we could 17 have Exhibit 42, the aerial of existing 18 conditions, called up. 19 Q I'm going to ask you a series of questions 20 about the property. 21 A Okay. 22 Q It is called up. Can you describe the 23 location and general characteristics of the 24 property? 25 A Sure.</p>
<p>30</p> <p>1 A I have not testified in front of this 2 board, but I have testified in numerous other 3 places and other jurisdictions. In the last 25 4 years, I served on urban design review panels, 5 made recommendations to city councils, the San 6 Diego City Council, for example, both in the 7 public and private sectors. When I was in the San 8 Jose Redeveloped Agency, for example, I served on 9 review panels for providing recommendations to the 10 City Council for numerous developments, master 11 plans, and most recently at Michael Bake -- it's a 12 private company -- I served as a development 13 review -- as a consultant for numerous commercial 14 developers reviewing tenant improvements, 15 reviewing applications and so forth. 16 MR. O'NEIL: Mr. Kalbag's resume has been 17 submitted in the record as Exhibit 30, and at this 18 time we ask that he be admitted as an expert in 19 land planning. 20 THE HEARING EXAMINER: The request is 21 granted. 22 MR. O'NEIL: Thank you. 23 Q Mr. Kalbag, are you familiar with the 24 Local Map Amendment application, which is before 25 the Hearing Examiner, LMA H156?</p>	<p>32</p> <p>1 THE WITNESS: May I approach the screen 2 and point out -- 3 THE HEARING EXAMINER: Yes. 4 A So the property is located about 500 5 roughly feet from the intersection of Gude Avenue 6 and Crabbs Branch. This purple line is the 7 project area there, the site. This is Crabbs 8 Branch Road here, and then binding it is the 9 Standish Place, which wraps around this way. 10 North is going up I should add, for example. The 11 property is about 13.86 acres, and if that 12 includes dedications. The net area is 12.72 13 acres. For example -- would you like me to 14 describe the surrounding -- 15 Q Sure. If you could. 16 A Sure. So around the area here is -- the 17 immediate area towards the north is the warehouse. 18 The warehouse is approximately about a one-story 19 high. The zoning is IM-2.5. That's Industrial 20 Median 2.5, and a height of 50 feet. 21 Towards the south, the same thing. There 22 are more offices and some industrial warehouses, 23 same designation as the current zoning, IM-2.5 24 H-50'. Towards the south of the property, 25 directly to the south from Standish Place is an</p>

<p>33</p> <p>1 office, which is about four stories. This is Zone 2 IM-2.5, but the height is allowed to 70 feet. 3 Directly across the street, there's a 4 six-story office building. 5 Q For the record, across the street to the 6 east? 7 A I'm sorry. To the east, correct, there's 8 a six story-office building. 9 And then to the north, north of Crabbs 10 Branch this way, there's a two-story office 11 building for the American Red Cross. And in this 12 area here you can see here, for example, there's 13 some townhomes located right in this location 14 north of Crabbs Branch. And further north of that 15 it's zoned R-200 single-family homes. And north 16 of that, it's zoned R-90, and they're 17 single-family homes. 18 About a mile to the north here is the 19 Shady Grove Metro Station. This area here is the 20 rail tracks for Metro and -- 21 Q To the west of the property? 22 A To the west of the property. Sorry. And 23 further to the west of the property is the MD 355, 24 or Rockville Pike, for example. A future bus 25 line, a BRT line will be along here. I should</p>	<p>35</p> <p>1 towards the corner here, for example. 2 Most of these office structure sites, I 3 should add, are vacant currently, and more 4 vacancies are anticipated. 5 Q Thank you. Are you familiar with the 6 surrounding neighborhood boundaries identified by 7 Staff in their Staff report? 8 A Yes. 9 Q And do you agree with the Staff's 10 delineation of the neighborhood they've 11 identified? 12 A Yes, I do. 13 Q And to the extent that you haven't touched 14 on it already, can you describe the character of 15 the surrounding neighborhood? You described what 16 uses are there, but from a character perspective. 17 A Yeah, the surrounding neighborhood, for 18 example, here, these are -- these are primarily 19 office structures. These are large blocks. I 20 should add when we get into discussing the General 21 Plan for Thrive 2050 and the Area Plan, we 22 addressed some of those concerns about how you 23 treat large blocks. 24 Further to the north here, these 25 townhomes, these are more compact blocks with</p>
<p>34</p> <p>1 also add there are a total of two bus stops on 2 Crabbs Branch located directly in front of the 3 property. There's Metro busses that traverse the 4 property here as well. 5 Q Can you describe the property itself in 6 terms of what the existing conditions are? 7 A Sure. The property is currently sited 8 with approximately four office buildings between 9 one and three stories. Two of the office 10 buildings are interconnected. It's surrounded by 11 a parking lot, about 600 parking spaces, a very 12 typical development from the Seventies where the 13 office building is located towards the center and 14 surrounded by a parking lot. There are 15 handicapped parking stalls as well. 16 I should note the topography. There's a 17 slight -- the topography is basically about from 18 the highest point to the lowest point -- the 19 highest point along Crabbs Branch to the lowest 20 point to kind of the southwest Standish Place is 21 about roughly 20 feet. 22 Along Crabbs Branch here, there's about 23 a -- right at the intersection of Monona Drive and 24 Crabbs Branch is about a 10-foot drop. It drops 25 directly off here. There's some vegetation</p>	<p>36</p> <p>1 setbacks and greenery. And then this area here 2 is, again primarily to the south of the property, 3 office structures. Again, typical what you see 4 here is office uses surrounded by parking lots. I 5 will get into the -- when we discuss the General 6 Plan and the Area Plan, we'll get into some of 7 their objectives of how to treat aging facilities 8 like that. 9 Q Great. Thank you. In your professional 10 opinion, will the proposed development impact the 11 character of the surrounding neighborhood? 12 A The proposed development will improve the 13 character of the surrounding neighborhood. It'll 14 support some of the single-family and townhome 15 communities towards the north and will enhance the 16 immediate proximity. 17 Q Have you reviewed the official zoning 18 vicinity map for the property in the surrounding 19 area? 20 A Yes. 21 Q What is the proposed zoning classification 22 for the property? 23 A It is currently IM -- that's Industrial 24 Medium -- 2.5, which is the FAR-50. 25 Q And the proposed zoning classification</p>

<p>37</p> <p>1 we're seeking is LMA?</p> <p>2 A Correct. The proposed zoning is CRNF,</p> <p>3 which stands for Commercial Residential</p> <p>4 Neighborhood Floating, dash, 1.25, which is the</p> <p>5 maximum FAR, C-0, which is zero FAR, R-1.25, which</p> <p>6 is the FAR that's proposed, and H-60 is the</p> <p>7 maximum height.</p> <p>8 Q And you're going to speak in a little bit</p> <p>9 about the intended housing, which is multifamily</p> <p>10 and townhouse. Are those permitted in the CRNF</p> <p>11 Zone?</p> <p>12 A Yes, they are.</p> <p>13 Q Can you briefly -- and perhaps it's</p> <p>14 helpful if we called up Exhibit 31, which is</p> <p>15 specifically FZP-2, the floating zone plan. Can</p> <p>16 you briefly describe the overall planning concepts</p> <p>17 for the development proposal on this site?</p> <p>18 A Okay. Yes. I'm going to approach the</p> <p>19 screen. So the proposal takes this very large</p> <p>20 property here, as you can see, and basically</p> <p>21 reduces it to more compact, walkable blocks. All</p> <p>22 the blocks are -- and I should describe. These</p> <p>23 gold bars, if you will, are the townhomes,</p> <p>24 proposed townhomes; and these brown bars, or</p> <p>25 chocolate bars, if you want, are two-unit</p>	<p>39</p> <p>1 Way, excuse me, is a public street. So at the</p> <p>2 intersection of Monona and Crabbs Branch, the</p> <p>3 public space, which then anchors -- which you see</p> <p>4 here anchors the property at that intersection.</p> <p>5 And further to the north, as we were</p> <p>6 describing, is the single-family neighborhoods,</p> <p>7 the townhomes to the north. So it has a direct</p> <p>8 connection to that.</p> <p>9 Q And a couple questions on the site you've</p> <p>10 described. What is the maximum number of units</p> <p>11 that we are seeking this Local Map Amendment?</p> <p>12 A So we believe 210 is probably the maximum</p> <p>13 amount of units we can fit on the site it's our</p> <p>14 professional opinion. The maximum you can build</p> <p>15 is 1.25 FAR. We think, based on these types of</p> <p>16 units, that's an approximate maximum range we</p> <p>17 think we can actually fit on the site.</p> <p>18 Q And you highlighted the open space. Has</p> <p>19 that open space been addressed in a binding</p> <p>20 element?</p> <p>21 A Yes. This was a binding element. As part</p> <p>22 of the approval, I should add, we worked closely</p> <p>23 with Staff on this public park here to get it in</p> <p>24 this right position. Originally we had units in</p> <p>25 here. We moved those units down to create a much</p>
<p>38</p> <p>1 condominiums.</p> <p>2 So the idea here -- and I will reference,</p> <p>3 start to reference the Thrive 2050 Area Plan. One</p> <p>4 of the objectives in the Area Plan, which is the</p> <p>5 Shady Grove Amendment adopted in 2021, was to take</p> <p>6 these large blocks and to break them down,</p> <p>7 essentially, and then -- into more compact blocks,</p> <p>8 and then to orientate these buildings directly</p> <p>9 where they're facing the street. So what we've</p> <p>10 done is we've taken these townhomes and</p> <p>11 back-to-back two-unit condominiums and faced it</p> <p>12 directly to Standish Place so it aligns front --</p> <p>13 you know, front doors are facing the street,</p> <p>14 eyes-on-the-street concept. And then there's an</p> <p>15 interior street here, for example, just north of</p> <p>16 Standish Place where we do the same thing.</p> <p>17 And then we -- then along Crabbs Branch</p> <p>18 Way, because of the shape of the topography or the</p> <p>19 shape of the block itself, this is where the</p> <p>20 public space is. But it serves a strategic</p> <p>21 placement, in a way, because this is the public</p> <p>22 open space, and by definition, per the zoning</p> <p>23 code, public open space needs to be accessible to</p> <p>24 a public street. Standish Place I should have</p> <p>25 added is a private Street. Crabbs Branch Road or</p>	<p>40</p> <p>1 larger park facility and really emphasize these</p> <p>2 corners, these bookends along Standish Place and</p> <p>3 Crabbs Branch Road to really create a kind of</p> <p>4 gateway effect at each end.</p> <p>5 MR. O'NEIL: And for the record, the</p> <p>6 binding elements are identified on FZP-2 Exhibit</p> <p>7 31, the binding elements that have been discussed</p> <p>8 with Park and Planning Staff and recommended by</p> <p>9 the Planning Board. So they are now included as</p> <p>10 part of the FZP Plan.</p> <p>11 Q A little bit on -- you talked a little bit</p> <p>12 how this comports with the surrounding</p> <p>13 neighborhood. Can you talk a little bit about the</p> <p>14 connectivity that is envisioned with this plan and</p> <p>15 adjacent uses?</p> <p>16 A Yes. So that was a big issue with the</p> <p>17 Planning Staff, and we worked diligently with them</p> <p>18 to meet some of these goals. Connectivity,</p> <p>19 pedestrian connectivity that is through a site is</p> <p>20 one of the key design guidelines of the Area Plan.</p> <p>21 So one of the ideas is that, if you can access the</p> <p>22 park element here, you can get through this and</p> <p>23 actually make it through the site, walk through</p> <p>24 the site directly diagonal. But we also thought</p> <p>25 being able to have more of a formal way of going</p>

<p>41</p> <p>1 through the heart of the site, the midpoint or the 2 spine of the site, so to speak, is important as 3 well. So there's numerous ways you can traverse 4 through the site. 5 Also I should point out there's a fire 6 department access road here, but we're treating it 7 as a pedestrian promenade. So it's another added 8 element to the park space. Again, open space, 9 park space is an important element of the General 10 Plan as well as the Area Plan. And so by 11 anchoring it here at this intersection, we're 12 adding more to it with this proponent piece. 13 Q From a land planning perspective, can you 14 describe how this Local Map Amendment Plan acts as 15 a transition between the office industrial housing 16 or office and industrial uses and other 17 residential uses to the north? 18 A Yeah. So here's Gude here -- I hope I'm 19 pronouncing it right -- further down to the south, 20 and to the north is single-family homes and 21 there's townhomes. 22 But if we were to pan out -- I don't know 23 if we want to look at the aerial really quickly. 24 Further to the north is the Shady Grove Plan, and 25 one of the primary objectives is really to</p>	<p>43</p> <p>1 you tell me what the Applicable Master Plan is for 2 this property? 3 A So the Applicable Master Plan is the Shady 4 Grove Minor Amendment adopted in 2021. The 5 original plan was 2006, and it was amended in 6 2021. 7 Q And have you reviewed the official title 8 being 2006 Shady Grove Sector Plan as amended by 9 the 2021 Shady Grove Master Plan Amendment? 10 A Yes. 11 Q And based on the review of this Master 12 Plan and your professional opinion, is the 13 proposed development in substantial conformance 14 with the overall goals and recommendations 15 contained in the Master Plan? 16 A It substantially conforms to the goals and 17 recommendations of the Plan. 18 Q And did Maryland National Capital Park and 19 Planning Commission Staff and the Planning Board, 20 in making the recommendation, agree with your 21 conclusion that the proposed project is in 22 substantial conformance with the goals and 23 recommendations of the Master Plan? 24 A Yes. 25 MR. O'NEIL: For the record, the Exhibit</p>
<p>42</p> <p>1 intensify housing near the Shady Grove Plan, or 2 the Shady Grove Station, excuse me, here. So we 3 are -- while the Zoning -- or, I'm sorry, while 4 the Area Plan doesn't specifically call out this 5 site for housing, it does prioritize housing and a 6 mix of housing. So, again, so what this is doing, 7 it's fulfilling the desire to have -- again, we 8 were within one mile of the station -- is filling 9 the desire to have more mixes of housing within 10 the proximity of the station. So this is 11 basically comporting with housing right directly 12 to the north, and the real concentration of 13 housing around the Metro station. 14 Q And in terms of heights, how is that 15 coordinated? 16 A So the height is very compatible. I was 17 saying the maximum height here is 50. Maximum 18 height down here 70. Height over here is 80. 19 This is 60 feet, up to 60 feet. These are 20 four-level townhome and two-unit condos, you know, 21 plus the roof structure. It'll be between 50 to 22 60 feet, roughly speaking, but it's very -- the 23 height or the topography of the roofs are pretty 24 much compatible. 25 Q And you mentioned the Master Plan. Can</p>	<p>44</p> <p>1 27 and 28 constitute Technical Staff Report in the 2 Planning Board recommendation. 3 Q We're going to shift gears now to 4 development standards. You can probably take a 5 seat here. Are you familiar with the Zoning 6 Ordinance from Montgomery County, including its 7 provisions related to the CRNF Zone? 8 A Yes, I am. 9 Q So I'm now going to ask you a series of 10 questions based on your knowledge of the Zoning 11 Ordinance, your familiarity with the project and 12 your professional expertise. 13 MR. O'NEIL: And I beg your indulgence, 14 Hearing Examiner, but this is the boring part 15 where we have to anchor the conversation with the 16 requirements of the Zoning Ordinance. 17 Q Section 59-5.1.2 sets forth the intents 18 and purposes of the floating zone. Did you 19 evaluate this section in the rezoning application 20 in connection with the plan? 21 A Yes, I've evaluated the floating plan in 22 accordance with the section. 23 Q And can you describe, in your professional 24 opinion, how the project satisfies the three 25 intents that are set forth in Section 5.1.2 of the</p>

<p>45</p> <p>1 Zoning Ordinance? And I'm going to walk you 2 through them in bite sized pieces. Section 5.1.2A 3 indicates that the plan is to implement a 4 comprehensive plan -- I'm sorry -- the floating 5 zone is to implement comprehensive planning 6 objectives, and there are three criteria in the 7 Zoning Ordinance associated with that. 8 Number one, how does the plan further the 9 goals of the general plan, the applicable master 10 plan and functional master plans? 11 A The project furthers the County's housing 12 goals as well as its goals for compact growth and 13 complete communities. And I can describe that 14 further in detail, if you like. 15 Q And is there -- can you comment on housing 16 types and affordable-housing opportunities? 17 A Sure. So one of the goals in the General 18 Plan, Thrive 2050, is a goal called Housing For 19 All, and it is to encourage the production of more 20 housing to match the supply with the demand. The 21 plan -- the proposal here, the application 22 provides a wide range of housing types that you 23 typically don't see. For example, townhomes, but 24 also back-to-back or two-unit condominiums, which 25 are new to the area. These are mid-range,</p>	<p>47</p> <p>1 infrastructure in the general plan, applicable 2 master plan, functional master plan, staging and 3 applicable public facilities? 4 A The project will utilize existing water 5 and sewer lines that will not require off-site 6 upgrades. The project will also meet all 7 applicable adequacy of public facilities or APF 8 requirements as demonstrated by school and 9 transportation tests. 10 Q And then the last criteria is for us to 11 discuss how the project allows design flexibility 12 to integrate development into circulation 13 networks, land-use patterns and natural features 14 with and connected to the property. 15 A So the project provides -- you know, along 16 Standish Place, which is the primary access into 17 the project, there's three points of entry there. 18 So it breaks down this large block into much more 19 smaller blocks with three entrances along there. 20 And then, within the site, there's a central 21 circulation that allows you to circulate. 22 All the -- I should add -- we can put up a 23 floating zone plan here. Just something I forgot 24 to highlight was -- 25 Q Is that Number 31?</p>
<p>46</p> <p>1 point-range products that the Applicant will 2 discuss more further in his testimony. 3 More importantly, just quoting from the 4 Housing For All, quote, A wider variety of housing 5 types is crucial to reducing the environmental 6 impact of growth. So this project directly meets 7 that objective of the general plan. 8 Q Is there any moderately-price dwelling 9 unit provisions in the plan? 10 A In what we propose, yes. So we are 11 proposing up to 210 units. We are exceeding the 12 12.5 MPDU requirement. We're actually providing 13 15 percent. So it would be -- you know, 210 is 14 about 32, roughly, MPD units. So that's above and 15 beyond, and also meets the area plan's goal for 16 all housing providing 15 percent MPDU units. 17 Q Is that 15 percent MPDU requirement in a 18 binding element in the current version of the 19 plan? 20 A Yes. 21 Q In meeting Planning objectives under 22 5.1.2.A, criteria number two asks, How does this 23 plan ensure the proposed -- how does this project 24 ensure the proposed uses are in balance with and 25 supported by the existing and planned</p>	<p>48</p> <p>1 A 31. I'm sorry. Number 31. 2 THE HEARING EXAMINER: Thank you. You 3 read my mind. I was about to say can we pull it 4 up. 5 A So one thing I should just highlight -- I 6 forgot to mention this -- is that all the garage 7 access here are within these alleys. They're 8 hidden from public view. Here's Standish Place. 9 Here's Crabbs Branch. So when you're driving 10 along Crabbs Branch, you're seeing the fronts of 11 buildings. The garages are accessing the alleys. 12 This is the main spine, if you will, through the 13 development. Again, frontages of buildings are 14 placed, are located there. There is some 15 on-street parking. Again, the alleys are behind 16 the building. So there's multiple ways to 17 circulate through this building, you know, main 18 spine, entrance off Standish Place to the south to 19 the midpoint and towards the north. 20 Q And the second intent for floating zones 21 under Section 5.1.2.B is to encourage the 22 appropriate use of land. And I'm going to again 23 ask you some questions that demonstrate how this 24 project encourages the appropriate use of land. 25 Number one, how does the project provide</p>

<p>49</p> <p>1 flexible applicability to respond to changing 2 economic, demographic and land planning trends 3 that occur between comprehensive district or 4 sectional map amendment plans? 5 A So per section 4.5.1, the CRN floating 6 zone, for example, is to redevelop underutilized 7 land and to meet the master plan's goals, for 8 example. So it's to implement the recommendations 9 of the applicable master plan and target 10 opportunities for redevelopment, especially 11 redevelopment of an aging office facility here. 12 So what it does -- so what this application does, 13 it meets the objective of the County by providing 14 a range of housing near a transit facility through 15 the floating zone process, you know, for example, 16 and it improves the environmental impact by not 17 overburdening public facilities with vehicular 18 trips. And we'll be talking more about that later 19 in the testimony here. 20 Q In the area of encouraging the appropriate 21 use of land, criteria number two asks, How does 22 allowing various uses, building types and 23 densities, as determined by the property size and 24 based on serve a diverse and evolving population? 25 A One of the key tenets for Housing For All</p>	<p>51</p> <p>1 we are doing. We're taking a very large block and 2 making smaller blocks out of it. 3 The other thing is I think that we've done 4 here, and this is working with Staff directly, is 5 to really organize the development of this block 6 around a public space, or an open space. You can 7 see that there's, at the intersection of Crabbs 8 Branch and Monona, a large open space, and the 9 development kind of frames it. 10 And then the last part, in terms of the 11 open-space guidelines or the green-stuff 12 guidelines of the area plan, it's very important 13 what Staff is conveying to us is to have 14 development frame these parks. It's framed. And, 15 you know, when you frame it, you have eyes on the 16 park, you know, like eyes on the street, and it 17 provides kind of a safety mechanism. So those are 18 just a couple examples how we adhere, we comport 19 to the goals of the master plan. 20 Q And the intent for floating zone -- the 21 third intent for floating, third and last intent, 22 is found in Section 5.1.2.C, which requires that 23 established neighborhoods be protected. And I'm 24 going to ask you -- the three criteria under that 25 section that ask us to demonstrate how the project</p>
<p>50</p> <p>1 is to provide a wide range of housing types. The 2 type, as we like to call it, the missing middle, 3 and that's what this project provides. So 4 townhomes, for example, with MPDU townhomes, 5 back-to-back units. These are very much the, 6 quote, missing middle. They're not exactly 7 single-family homes and are not exactly, you know, 8 luxury condos. It's something in the mid range. 9 And this is something, again, we believe we're 10 meeting the master plan as well as the general 11 plan's objective. 12 Q In the last criteria for ensuring that the 13 application encourages the appropriate use of 14 land, can you describe how the project ensures 15 that development satisfies basic sustainability 16 requirements, including open-space standards and 17 environmental protection and mitigation? 18 A Yes. According to the area plan, in the 19 area plan there's urban design guidelines there, 20 and we took a look at that when we were laying out 21 the project here. And one of their guidelines, or 22 a couple of them are, you know, for example, 23 reducing the size of larger blocks to more smaller 24 blocks. And that is primarily to promote 25 pedestrian activity and movement, and that's what</p>	<p>52</p> <p>1 establishes compatible relationships between new 2 development and existing neighborhoods through 3 limits on applicability, density and uses. 4 A So in terms of compatibility, as we were 5 talking about the height of these structures, you 6 know, directly to the north, this is -- you know, 7 this is a six-story building, 80 feet in height. 8 This is 60 feet in height. These are zoned up to 9 50 feet, for example. So they can easily build a 10 50-foot structure. We're at 60 feet, so we're 11 compatible in terms of just the height and bulk. 12 We're also compatible that further up 13 here, not too far -- 14 Q To the north? 15 A To the north. I'm sorry. 16 Q -- the townhouses? 17 A Correct. We have townhomes roughly in the 18 same scale of what we're producing. And further 19 to the north of that is single-family homes. So 20 we're very compatible in terms of just the 21 configuration of the layout and the height of the 22 layout. 23 Q In establishing that the plan protects 24 established neighborhoods, how does the plan 25 provide development standards in general</p>

<p>53</p> <p>1 compatibility standards to protect the character 2 of adjacent neighborhoods? 3 A Well, by placing -- by placing the 4 buildings adjacent to the street where the 5 frontage is at the street with front doors, 6 windows, we are protecting the -- we're really 7 enhancing the neighborhood, if you will. 8 One thing to note, again, a lot of the 9 development in this area was built at the time 10 where you put the building, the structure in the 11 middle and surrounded by parking. Those standards 12 are now changing. They're evolving. So what 13 we're doing is we're really meeting the letter of 14 the area plan, and we're enhancing the 15 neighborhood because one of the key features, or 16 the key objectives of not only Thrive 2050 but 17 also the area plan is walkability, designing 18 neighborhoods for pedestrians. And so that's how 19 we're enhancing the neighborhood. 20 Q And the area plan, just to be clear, is 21 the -- 22 A Correct. 23 Q -- 2021 Minor Master Plan -- 24 A Yes, 2021. 25 Q -- Minor Master Plan?</p>	<p>55</p> <p>1 Q And for the record, you were referring to 2 the northeast and southeast -- 3 A Correct. 4 Q -- sections of the property that was -- 5 A Yes. 6 Q -- big discussion? 7 A Yes. The bookends along Crabbs Branch at 8 Standish Place, correct, sir. 9 Q And then as we get down into finer 10 granularity of compliance with the Zoning 11 Ordinance, we're going to turn to the purposes of 12 the CR floating zone, which are contained in 13 Section 5.3.2 of the Zoning Ordinance. And the 14 purposes, I'm going to read them out and then ask 15 you to comment. 16 The purpose of the commercial residential 17 floating zone is to, A, allow development of 18 mixed-use centers in communities at a range of 19 density and heights flexible enough to respond to 20 various settings, allow flexibility and uses for a 21 site and provide mixed-use development that is 22 compatible with adjacent development. 23 And can you describe how the project 24 satisfies the purposes of the CR zone -- 25 A Yes.</p>
<p>54</p> <p>1 A Correct. 2 Q And then the last criteria for protection 3 of established neighborhood asked, How does the 4 plan -- how does our project allow design 5 flexibility to provide mitigation of any negative 6 impacts found to be caused by the new use? 7 A Yeah. And so the CR zone, the CR floating 8 zone really provides flexibility. During site 9 plan, we really -- we nailed down the setbacks, 10 for example, you know, the place in the -- you 11 know, how far it sets back from the street. So 12 the whole idea of the CR zone, floating zone 13 processes is to provide flexibility here. 14 When we were working with Staff, one of 15 the issues was that we didn't -- you know, we 16 wanted to be sensitive to the neighbors here as a 17 new form of development. So we really put all the 18 parking, the backs of the garages internal so you 19 couldn't see that. Originally we had a design 20 where you can see the garage. Well, we flipped 21 this around, and we flipped this around so you're 22 looking at the fronts of the building. So we 23 worked directly with Staff to really create 24 something that they want to see developed per the 25 design guidance of the area plan.</p>	<p>56</p> <p>1 Q -- I just described? 2 A Yes. The project has been strategically 3 designed to respond to the demand for housing 4 within the County, within the Deerwood Community 5 by providing a compatible transition to the 6 neighborhood; namely, we bookend the site here. 7 We design with the buildings facing the streets. 8 We take this very large block here, you know, over 9 13 acres and we reduce it down to more walkable, 10 compact blocks. We create these bookends here so 11 when you're driving up you're not looking at the 12 parking lot as you are today. You're looking at 13 the fronts of buildings and doorsteps. And then 14 we anchor the development here with this kind of a 15 central park, if you will, with porosity through 16 the development at various locations. We're still 17 programming this here, but it's accessible. It 18 will be accessible to Crabbs Branch at this 19 intersection. And further to the north of Crabbs 20 Branch are the residential neighborhoods. 21 I should add you're probably going to see 22 in the future more housing occur. As we know, 23 office vacancies are rising because of, you know, 24 hybrid work opportunities. So this is something 25 that I think, in some ways, is setting the process</p>

<p>57</p> <p>1 forward.</p> <p>2 Q Could you comment -- there's a binding</p> <p>3 element that is recommended by the Planning Board</p> <p>4 that addresses the ability of those townhouses to</p> <p>5 the north to have access to the open space. Can</p> <p>6 you comment on that binding element?</p> <p>7 A Yes. Correct. So having this open space</p> <p>8 here accessible was one of the binding elements.</p> <p>9 These townhomes open up, and they're directly</p> <p>10 accessible from the park to the townhome.</p> <p>11 But what's more important, which we'll be</p> <p>12 figuring out during the site plan, is how do you</p> <p>13 get up here. This is about an eight, or about a</p> <p>14 nine or 10-foot drop from Crabbs Branch to the</p> <p>15 park. But providing that access here is something</p> <p>16 that's a critical part, and it's a binding</p> <p>17 element.</p> <p>18 I should -- I forgot to add that there is</p> <p>19 a crosswalk location right here, a crosswalk here,</p> <p>20 and there's two bus stops. So we're trying to</p> <p>21 link in with this crosswalk how you get to the</p> <p>22 park.</p> <p>23 Q Now I'm going to ask you some questions</p> <p>24 regarding the applicability of the CRNF Zone,</p> <p>25 starting with Section 5.1.3.A of the Zoning</p>	<p>59</p> <p>1 site plan, we will get more into the detail of</p> <p>2 what that open space looks like. So 10 percent is</p> <p>3 required for that. Townhomes require a common</p> <p>4 open space. The two-unit condos, for example, are</p> <p>5 multifamily or public open space. For the</p> <p>6 purposes of this floating zone plan, we are</p> <p>7 assuming that it is a 50-50 split. We will be</p> <p>8 sharpening our pencils during site plan. It might</p> <p>9 be 51-49 or something like that. We are</p> <p>10 prioritizing the public open space at this</p> <p>11 location. It needs to be accessible from a public</p> <p>12 street. This is the public street, Crabbs Branch</p> <p>13 Road. There is some common open space that's</p> <p>14 located here. It was a request that was --</p> <p>15 Q Where is here?</p> <p>16 A I'm sorry. Within the open-space area</p> <p>17 here there's some -- actually, you can open up the</p> <p>18 open-space plan, which is --</p> <p>19 Q Exhibit 35.</p> <p>20 A Correct. So for the purpose of this,</p> <p>21 we're taking 10 percent of the net lot area.</p> <p>22 554,000 is the net lot area. 10 percent of that</p> <p>23 is 55,000, roughly speaking, splitting that in</p> <p>24 half, and that's -- so the orange color here is</p> <p>25 the public open space, which is generated from the</p>
<p>58</p> <p>1 Ordinance, which prohibits a floating zone from</p> <p>2 being approved for a property that is located in</p> <p>3 agricultural or rural residential zone. Is this</p> <p>4 property located in either of those zones?</p> <p>5 A No. The property is currently classified</p> <p>6 as an IM zone.</p> <p>7 Q And how are the development standards</p> <p>8 handled under the CRN floating zone?</p> <p>9 A So, as mentioned, the floating zones allow</p> <p>10 for flexibility in development standards. This</p> <p>11 includes the site layout, the lot size, the</p> <p>12 height, the setback placement. And it's really to</p> <p>13 allow development -- that is to make the</p> <p>14 development compatible with the surrounding</p> <p>15 neighborhood and meet the goal and intent of the</p> <p>16 area plan. The proposed development we have here,</p> <p>17 in our view, meets those standards.</p> <p>18 Q And this is going to perhaps sound</p> <p>19 repetitive, but I'll ask it to be thorough. How</p> <p>20 will the project satisfy the open-space</p> <p>21 requirements for the CRNF zone on site?</p> <p>22 A So there's a requirement for open space,</p> <p>23 and I can tell you the section here, but 10</p> <p>24 percent of the net square area has to be open</p> <p>25 space. And right now we are -- as we move towards</p>	<p>60</p> <p>1 two-unit condos or multifamily. The green area is</p> <p>2 the common open space, which is generated from</p> <p>3 these gold bars, the townhomes. You can see all</p> <p>4 the orange area needs to be adjacent to and</p> <p>5 accessible from Crabbs Branch Road. In our</p> <p>6 discussions with Planning Staff, they -- you know,</p> <p>7 just because there's -- there's not a lot of</p> <p>8 places you can put the open space with the units</p> <p>9 and the stormwater and the -- you know, a lot of</p> <p>10 the different elements that makes this thing work.</p> <p>11 So a lot of the bulk of the common open space,</p> <p>12 public open space is consolidated in this location</p> <p>13 here. For example, we do have a mid-block</p> <p>14 crossing that gets you to it. Again, we think</p> <p>15 accessibility through the site, porosity is a good</p> <p>16 thing. We do have maybe an opportunity at this</p> <p>17 corner here for a little green space.</p> <p>18 Q Can you --</p> <p>19 THE HEARING EXAMINER: I'm sorry to</p> <p>20 interrupt. Since you have it up and you just</p> <p>21 explained it, I have a quick question. That</p> <p>22 little green strip, which, you know, is -- yes.</p> <p>23 It's doubling up as both open space and the</p> <p>24 emergency fire lane?</p> <p>25 THE WITNESS: No, no. This is outside</p>

Transcript of Hearing
Conducted on February 6, 2025

16 (61 to 64)

<p>61</p> <p>1 the -- this is just to get through, access it 2 through here. The fire department access road 3 promenade is this piece here. This is not 4 accessible to vehicles. It'll be bollards here. 5 We hope it's never accessed at all for fires, 6 obviously, but this is going to be designed where 7 it's pedestrian friendly. We have to meet the 8 requirements of the fire department, so the 9 materials that we use, the bollards up here, we 10 can't put anything -- any objects in the path of 11 this promenade, but it'll meet their requirements 12 at the same time, will serve as a kind of a 13 pedestrian feature. 14 THE HEARING EXAMINER: Thank you so much 15 for clearing that up, because I think I had 16 misunderstood the green strip as I thought that 17 there was some emergency access or fire lane 18 access overlap between the green space and fire. 19 That's not the case? 20 THE WITNESS: That's not the case. 21 THE HEARING EXAMINER: Okay. Thank you. 22 BY MR. O'NEIL: 23 Q Can you describe how the project meets the 24 recreation facility requirement for the CRNF zone? 25 A Yes.</p>	<p>63</p> <p>1 development standard standpoint, can you comment 2 on adequate parking and bicycle parking? And this 3 was of particular interest to the Hearing 4 Examiner. 5 A Correct. So just for the record, per 6 Section 59.1.4.2, we're in a reduced parking area. 7 We're approximately a mile from the Shady Grove 8 Station, so therefore one spot is minimum, one 9 parking stall minimum per dwelling unit, and 10 there's a maximum of two stalls per dwelling unit 11 that's required. These are three or -- these are 12 three-story -- I mean, I'm sorry, these are 13 four-story, three-bedroom townhomes, for example, 14 so we are actually meeting the maximum 15 requirement. 16 In terms of bicycle parking, and this is 17 for Section 6.2.4, there are no actual bicycle 18 parking requirements for townhomes or for two-unit 19 condos. There is a requirement for condos with 20 over 10 units, but these are two-unit condos. 21 With that being said, during site plan we'll be 22 evaluating what occurs in this public open space 23 and common open space, if it makes sense to add 24 bicycle racks there or not, but it's something 25 that we're looking at.</p>
<p>62</p> <p>1 THE WITNESS: If you can put up the rec 2 facility, it's Number 32. 3 MR. O'NEIL: Yeah. Exhibit -- for the 4 record, Exhibit 32 is being shown on the screen. 5 THE WITNESS: Oh, great. Thank you. So, 6 again, we're refining this in site plan, but there 7 are some elements that I'll point out, how it 8 meets it here. We did a demand, supply and 9 adequacy report for this project here based on the 10 number of units. And I'll just point out some of 11 the rec facilities here, an open-space lawn, for 12 example, this through block connection, which we 13 were just discussing here, this promenade piece 14 that goes through. We're still evaluating a few 15 other things like picnic and seating areas, 16 bicycle elements here, for example, playgrounds 17 for children. A lot of that is just conceptual. 18 We put this together for the floating zone plan, 19 and in site plan process we'll be sharpening our 20 pencils and getting more specific. 21 Q But notably for this plan were those 22 opportunities preserved to be discussed at site 23 plan? 24 A Correct. 25 Q From a development requirement standpoint,</p>	<p>64</p> <p>1 Q And I don't think, if I tuned out for a 2 second, the amount of parking that we are 3 accommodating, even though we don't have to do 4 it -- 5 A Correct. 6 Q -- is what? 7 A Yeah, two stalls per unit, and then we 8 have approximately 25 stalls, roughly. Again, 9 during site plan we will -- you know, we'll get 10 more specific. But 25 on-street parking stalls 11 could be more or less in this location along -- 12 Q What's the -- 13 A I'm sorry. This is the interior street. 14 Q Interior spine road? 15 A Yeah. 16 Q In your professional opinion, does a 17 proposed floating zone plan satisfy all applicable 18 code requirements? 19 A Yes, it does. 20 Q So again apologies for repetition, but we 21 are asked to demonstrate how the Local Map 22 Amendment coordinates with master plan compliance 23 requirements. And as you know, a zoning map 24 change to apply a floating zone to an individual 25 property requires approval of this application.</p>

<p>65</p> <p>1 The District Council must approve the Local Map 2 Amendment and make specific findings in connection 3 with the application as set forth in Section 4 59-7.2.1.E. Have you had an opportunity to review 5 these criteria and evaluate the Local Map 6 Amendment under these criteria? 7 A Yes, I have. 8 Q And with regard to these specific 9 findings, Section 7.2.1.E.2.A requires a proposed 10 floating zone plan to substantially conform with 11 the recommendations of the applicable master plan, 12 general plan and other applicable County plans. 13 Have you had an opportunity to review those plans 14 in this context? 15 A Yes, I've reviewed the floating zone plan 16 for conformance with the applicable County plans. 17 Q And you've commented on that before. Is 18 there any more that you would want to say in terms 19 of how this project is compatible with the 2021 20 Shady Grove Minor Master Plan, or other applicable 21 plans? 22 A Yes. I'll just summarize that it meets 23 all the goals, and intent and objectives of the 24 area plan, the urban design objectives, the 25 housing objectives, for example, and, more broadly</p>	<p>67</p> <p>1 employment commercial area; however, we are 2 maximizing the utilization of that land with what 3 we're proposing here, I think. And then we're 4 also meeting the master plan overall vision of 5 really creating a mix of housing and employment. 6 There's still employment around there. Maybe the 7 demand for such employment or offices is 8 decreasing, but there's a greater demand for 9 supply of housing. So, in a way, we're balancing 10 those needs with this application. 11 Q And you've talked a considerable amount 12 about housing and how the plan conforms with the 13 variety of County plans to achieve housing. 14 Anything more you want to add to that discussion? 15 A No. I think I've addressed that. 16 Q Similarly, with open spaces, the County 17 plans address open-space recommendations and 18 concerns, and you've commented on that. Anything 19 more you want to add on how we can -- 20 A No. But I will add this, that, you know, 21 public open space needs to be adjacent to a public 22 road. I just want to point out common open space, 23 which is -- which is generated from townhomes, is 24 more central to the townhomes. It doesn't have to 25 be, quote, adjacent to the public open space. If</p>
<p>66</p> <p>1 speaking, it meets the Thrive Montgomery County 2 2050's plans for compact growth, complete 3 communities, and, most importantly, Housing For 4 All. 5 Q Specifically from a land-use perspective, 6 can you describe how it complies with master plan 7 recommendations? 8 A Yes. You know, the master plan envisions 9 the future of this Shady Grove Metro as a kind of 10 mixed use, pedestrian-oriented environment with 11 attractive streetscapes, distinctive architecture. 12 I think what we're doing here is, even though 13 there's no specific recommendations for this 14 specific property, we're still meeting that intent 15 of attractive streetscapes, walkability. The 16 range of housing is one of the great primary goals 17 of Housing For All, so I think we meet those 18 fairly clearly. 19 Q And from a land-use perspective, how this 20 coordinates with the employment, commercial 21 objectives of the master plan for this area? 22 A It conforms with it. The existing office 23 market is changing, and there's -- there's large 24 vacancies in some of these facilities here. I 25 believe that we're meeting -- we're located in an</p>	<p>68</p> <p>1 you could put up that graphic there, I'll just 2 make this last -- 3 Q Which graphic? 4 A The open-space graphic, Number 35. I 5 failed to mention this, but common open space, the 6 green areas here, they don't have to be accessible 7 from the public. What we're doing is we're adding 8 more space. The orange area is the public open 9 space. That has to be accessible to a public 10 street. The green areas don't, but we are putting 11 there -- we're consolidating it in this location 12 so it is accessible, in a sense, creating a much 13 larger space for the public. 14 Q And do the master plans speak to park 15 creation and green-space creation? You mentioned 16 green space, but park creation. And how do we -- 17 how do we fulfill that objective? 18 A You know, we are meeting the intent for 19 public open space and common open space per the 20 zoning code. In fact, we're providing more space 21 accessible to the public with this design. 22 Q These master plans, or County master plans 23 talk about mobility, and you've done a fair amount 24 of discussion on circulation. Can you talk a 25 little bit about how this plan meets the</p>

<p>69</p> <p>1 objectives for sidewalk improvements, street trees 2 and lights that are important for mobility? 3 A So all the frontages you're looking at, 4 especially along Standish Place, will be improved 5 with sidewalks and street trees. I don't believe 6 there are sidewalks located on Standish Place in 7 certain locations I should point out along this 8 area here. So we're meeting the Complete Streets 9 requirement along the Crabbs Branch Way for the 10 minimum and the maximum allowed for the shared-use 11 path, for example. So everything is enhanced. 12 I should also say that we're also 13 providing housing along a major transit route. 14 There are two major bus lines that are occurring 15 here. And to the west of the site on MD 355 or 16 Rockville Five, there's a future BRT. And, of 17 course, a mile north is the Shady Grove Station. 18 So it fits within the whole mobility framework. 19 Q And you have talked a fair amount about 20 the Shady Grove -- 2021 Shady Grove Sector Plan, 21 and alluded to the general plan, which is Thrive 22 Montgomery. Can you comment any more on how we 23 meet the recommendations of Thrive Montgomery in 24 particular? 25 A I'll just say that we meet a number of the</p>	<p>71</p> <p>1 satisfies the intent, and purposes and standards 2 of the CR floating zones. 3 Q One area in particular that that's worth 4 addressing, can you discuss any environmental 5 features that the plan is taking into 6 consideration to meet that intent, or that 7 requirement? 8 A In terms of environmental features, there 9 are no regulated environmental features on site. 10 I forgot to mention that. There are no streams or 11 waterways, for example. We are -- by creating 12 this park, we're creating more open space, and we 13 are adding trees in that location. So there -- we 14 are not impacting any environmental element or -- 15 and this project, in a way, provides or represents 16 an efficient and sustainable land use by 17 redeveloping an underutilized piece of land. 18 Q Section 59-7.2.1.E.2.D requires a proposed 19 floating zone plan to be compatible with existing 20 and approved adjacent development. Can you please 21 comment to the extent you haven't already how, in 22 your professional opinion, the plan satisfies this 23 requirement? 24 A Yeah. As discussed previously, the height 25 of the buildings, the dimensions of the buildings</p>
<p>70</p> <p>1 objectives. The compact growth, this meets that, 2 complete communities. We are taking aging 3 facilities and transforming it. Housing For All, 4 which is probably the most substantive and 5 relative one, we're obviously meeting the Housing 6 For All requirement or objective by encouraging 7 the -- by producing more housing to match the 8 supply demand. And again, I think, you know, when 9 you look at it, we are meeting the primary 10 objective of providing a wide variety of housing 11 types, which, as it states, is crucial to reducing 12 the environmental impact of growth. 13 Q Section 59-7.2.1.E.2.B requires the 14 proposed floating zone plan to further the public 15 interest. In your professional opinion, is the 16 project in the public interest? 17 A Yes. 18 Q Section 59-7.2.1.E.2.C requires a proposed 19 floating zone plan to satisfy the intent, purposes 20 and standards of the CR floating zone to comply 21 with the purposes, standards and requirements of 22 the Zoning Ordinance. Can you please comment to 23 the extent that you haven't already on how this 24 project responds to that requirement? 25 A As previously discussed, this project</p>	<p>72</p> <p>1 are very compatible to the surrounding uses. We 2 believe it enhances the area by taking a very 3 large block and creating smaller blocks that are 4 walkable, that are -- with sidewalks that are tree 5 lined, for example. 6 Q Section 59-7.2.1.E.2.E requires that the 7 floating zone plan will generate traffic that does 8 not exceed the critical lane volume or volume 9 capacity ratio standards as applicable under the 10 Planning Board's LATR guidelines. Can you 11 describe how we meet that? 12 A Yes. And we will be speaking more to this 13 later today in the testimony, but there's adequate 14 capacity on the surrounding street networks to 15 accommodate this project. In fact, residential 16 typically incurs less traffic impact than, say, an 17 office structure, and we'll talk more about that. 18 Q Are you referring to the traffic 19 statement? 20 A Correct. 21 Q Which is Exhibit 39. When applying a 22 nonresidential floating zone to a property 23 previously under residential detached zone, 24 59-7.2.1.E.2.F requires a finding that the 25 proposed floating zone will not adversely affect</p>

Transcript of Hearing
Conducted on February 6, 2025

19 (73 to 76)

<p>73</p> <p>1 the character of the surrounding neighborhood. Is 2 this finding applicable here? 3 A This finding is not applicable. The 4 property is currently classified as a IM zone, 5 which is not a residential detached zone. 6 Q In summary, in your professional opinion, 7 is it your professional opinion the floating zone 8 plan permits the Council to make the necessary 9 findings that are outlined in 59-7.2.1.E.2? 10 A Yes, it does. 11 Q Did you have an opportunity to review the 12 floating zone plan in connection with its impact 13 on public facilities? 14 A Yes, I have, and the proposed development 15 will be adequately served by public facilities and 16 will not have a detrimental impact on public 17 facilities. 18 Q And again in your professional opinion, 19 does the proposed floating zone plan satisfy all 20 applicable code requirements? 21 A Yes. As we discussed today, it does. 22 Q And we had not talked about and I'm going 23 to ask you, there's a land planning report at 24 Exhibit 19 in the record. Can you describe your 25 role in regard to the land planning report?</p>	<p>75</p> <p>1 witness that would be much shorter. All the other 2 witnesses will be shorter. In any event, I'm 3 going to turn to my colleague, Vince Biase, to 4 assist with that. 5 THE HEARING EXAMINER: No apologies 6 needed. You know we have to make these findings 7 so -- 8 MR. O'NEIL: Yes. 9 THE HEARING EXAMINER: -- the more 10 thorough you are, the more -- it's helpful, 11 extremely helpful. 12 MR. O'NEIL: I appreciate your indulgence. 13 THE HEARING EXAMINER: Sure. No problem. 14 MR. BIASE: For the record, Vince Biase 15 with the Law Firm of Lerch, Early and Brewer on 16 behalf of the Applicant. We'd like to call our 17 next witness, Giovanni Esposito. 18 Mr. Esposito, can you please state your 19 full name, primary occupation and full business 20 address? 21 THE HEARING EXAMINER: Let me just 22 administer the oath for Mr. Esposito. 23 If you would, kindly raise your right 24 hand. 25 (The witness was sworn.)</p>
<p>74</p> <p>1 A Yes, I have reviewed the report. I wrote 2 this report, and published it and -- and I could 3 describe anything you like in the report. 4 Q And do you agree with the findings made by 5 Planning Staff in the Staff report and Planning 6 Board and the recommendations? 7 A Yes, Planning Staff's findings and the 8 report aligns with the land planning report I put 9 together. 10 Q Anything else you would like to add? 11 A No additional information. 12 MR. O'NEIL: Thank you, Mr. Kalbag. No 13 further questions from me. 14 THE HEARING EXAMINER: One little 15 clarification. I wanted to ask about stormwater. 16 Is that something that's being addressed by your 17 stormwater management strategy? I know a plan is 18 not required at this stage, but that's coming 19 later, right? 20 THE WITNESS: Correct. Yes. The civil 21 engineer from VIKa will discuss that. 22 THE HEARING EXAMINER: Thank you very 23 much. 24 THE WITNESS: Thank you. 25 MR. O'NEIL: Thank you. We have another</p>	<p>76</p> <p>1 GIOVANNI ESPOSITO, 2 having been first duly sworn or affirmed, was 3 examined and testified as follows: 4 DIRECT EXAMINATION BY COUNSEL FOR THE APPLICANT 5 BY MR. BIASE: 6 Q Can you please state your full name, 7 primary occupation and full business address for 8 the record? 9 A Giovanni Esposito, that's G-I-O-V-A-N-N-I, 10 Esposito, E-S-P-O-S-I-T-O, and I am a Land 11 Entitlements Manager for Tri Pointe Homes DC Metro 12 with offices located at 12435 Park Potomac Ave, 13 Suite 600 in Potomac, Maryland 20854. 14 Q Thank you. Can you please provide a brief 15 description of your professional background? 16 A I have eight years of experience in 17 residential real estate development. In my 18 previous role in community planning at another 19 national home builder, I supervised and managed 20 the launch of several premier communities in the 21 DC Metro region. 22 Over the past year, I've been with Tri 23 Pointe Homes working in land entitlements where my 24 work includes overseeing and maintaining a robust 25 pipeline of projects like Centro Square where we</p>

<p style="text-align: right;">77</p> <p>1 transform underutilized office parks and parking 2 lots into vibrant and thoughtfully-designed 3 housing communities. 4 Over the course of my career, I've 5 collaborated extensively with architects to create 6 award-winning home designs, engineers to create 7 functional and amenity-rich communities and 8 marketing, sales and production teams to deliver 9 exceptional homes. This includes the planning and 10 execution of amenity spaces as well like 11 recreation centers, parks and play areas, model 12 homes and sales centers to ensure communities that 13 are both beautiful and highly livable. 14 Q And can you provide just a brief 15 description on your educational background? 16 A Yes, I have a Master's Degree in 17 Architecture Engineering from Penn State 18 University. 19 Q Can you also provide some background on 20 the Applicant Tri Pointe Homes' development 21 experience for the record? 22 A Tri Pointe Homes DC Metro, which is 23 formerly known as Winchester Homes, has a legacy 24 of excellence in residential development spanning 25 over 40 years. Originally established as</p>	<p style="text-align: right;">79</p> <p>1 today's hearing? 2 A Yes, I am. 3 Q Are there any specific planning or housing 4 opportunities that the Applicant has identified in 5 this proposed redevelopment of commercial office 6 space? 7 A Yes. There are a handful of opportunities 8 that make this property ripe for redevelopment, 9 the first being a regional housing shortfall. The 10 Washington -- the Metropolitan Washington Council 11 of Government has recently reported a housing 12 shortfall in the region with a forecasted need for 13 over 75,000 additional housing units beyond 14 current projections by 2030. Redeveloping this 15 property predominantly aligns with the urgent 16 demand and need for new housing to address this 17 imbalance. 18 Additionally, this in-fill development 19 trend where offices are converted to residential 20 is an increasing and favorable strategy for 21 developers and the County. Where greenfields are 22 becoming less available for development, these 23 in-fill and redevelopment opportunities are in 24 high demand in this particular submarket of 25 Rockville.</p>
<p style="text-align: right;">78</p> <p>1 Winchester Homes, the company was acquired by Tri 2 Pointe Homes in 2014, which is when it became part 3 of one of the largest home builders in the United 4 States. 5 Q Does Tri Pointe Homes have experience 6 developing housing within the Washington Metro 7 region? 8 A Yes. For over four decades, the DC Metro 9 Division has become known for its deep expertise 10 in creating thoughtfully-designed, high-quality 11 communities throughout Maryland, Virginia and 12 Washington, DC, with a focus on innovative home 13 design, sustainability and livability. We've 14 delivered a wide range of housing solutions, from 15 luxury single-family homes to vibrant townhomes, 16 and condominiums. Many notable communities, 17 including recent projects in Montgomery County 18 called North Park, for example, or Eisenhower 19 Point in Alexandria, Virginia. Our work 20 emphasizes on integrating modern architectural 21 styles, functional layouts and community-centric 22 amenities that enhance the quality of life and are 23 life changing by design. 24 Q Are you familiar with the Local Map 25 Amendment application that is the subject of</p>	<p style="text-align: right;">80</p> <p>1 This property's location fits well within 2 this trend, and developers in the County enjoy 3 supporting and growing existing urban and suburban 4 areas to create vibrant and high-density housing 5 communities. 6 Q And, to that end, has the Applicant 7 identified any specific opportunities to benefit 8 this local housing market with the proposed new 9 housing? 10 A Yes. In addition to Sachin's testimony 11 about meeting the goals of the master and sector 12 plans, there are a handful of added opportunities 13 that we as a developer think support housing 14 goals, the first being a proven demand for new 15 housing in this Rockville submarket. It's become 16 a prime area for new home builders to offer 17 housing with base prices in favorable and more 18 affordable ranges, which caters to the growing 19 demand for the individuals and families we 20 envision living in this area. 21 Additionally, there is a limited resale 22 inventory, and so the scarcity of options further 23 underscores the need for new housing stock to meet 24 the demand. We feel that this submarket of 25 Rockville targets a market gap. We are a little</p>

<p>81</p> <p>1 bit further out from the higher-priced homes just 2 south of us, and we are not as suburban as those 3 that are more north of us. And so a homebuyer, 4 the individuals and families we're envisioning 5 living here can benefit from those things that 6 this more urban location has to offer like the 7 proximity to transit, great schools and great 8 amenities.</p> <p>9 Q Thank you. And can you describe generally 10 the mix of residential housing types that are 11 proposed with this application?</p> <p>12 A We are proposing that this community would 13 offer both townhomes and two-unit condominiums.</p> <p>14 MR. BIASE: At this time, we'd like to 15 request that Exhibit 43, the Applicant's 16 illustrative housing and design layout slides be 17 pulled up.</p> <p>18 Q Mr. Esposito, can you describe what you're 19 seeing on the first slide there of Exhibit 43?</p> <p>20 A I'm seeing the title slide of Exhibit 43, 21 which is the illustrative condominium and 22 townhouse designs.</p> <p>23 MR. BIASE: And can we move to slide two, 24 please?</p> <p>25 Q And can you please describe what you're</p>	<p>83</p> <p>1 shown on slide three there?</p> <p>2 A Yes. So the goal of this slide, because 3 this two-unit condo is a new layout style to 4 Montgomery County, we just wanted to take a moment 5 to step you through how this product lays itself 6 out and why we feel the higher-density solution is 7 a little bit more favorable than what you might 8 have been more familiar with as a two-over-two 9 solution. This back-to-back solution is shown, 10 the first -- the front unit in green and the rear 11 unit in blue on these illustrative floor plans. 12 And the 3D image on the left is just showing how a 13 real-life example -- this is a community in 14 Alexandria, Virginia -- just how the floor plan 15 can relate to reality just so that you can 16 understand how the floor plan sets itself up.</p> <p>17 And so I could step us through the first 18 floor to the fourth floor. The first floor is 19 where we see that two-car tandem parking that's 20 internal to each unit. So two cars for the blue 21 unit, two cars for the green unit. And to the 22 south of that floor plan are the front doors 23 where, again, we can enter both units from the 24 same common front door and lead walk off of a 25 front sidewalk.</p>
<p>82</p> <p>1 seeing on slide two?</p> <p>2 A Yes, I'm seeing slide two of Exhibit 43. 3 This is illustrative condominium and townhomes.</p> <p>4 Q Can you describe the design associated 5 with both proposed housing types with this 6 application?</p> <p>7 A Yes. This slide is depicting how the 8 language between the townhomes and two-unit condos 9 that we are proposing at this redevelopment can 10 read quite favorably and similar with the goal of 11 creating a warm, and inviting and familiar 12 streetscape throughout the community.</p> <p>13 Both products offer common front doors 14 along front sidewalks to create engaging 15 streetscapes. It offers rear-alley parking, as 16 Sachin mentioned, where two cars per unit can be 17 parked internally, keeping rear alleys free and 18 clear of additional parked cars.</p> <p>19 And, finally, both products will offer a 20 minimum of three bedrooms to fit the needs of the 21 individuals and families that are interested in 22 living in this area.</p> <p>23 MR. BIASE: Can we move to the last slide, 24 please?</p> <p>25 Q And, Mr. Esposito, can you describe what's</p>	<p>84</p> <p>1 As you move up through the unit, you get 2 to the main living level. This is where both 3 units, the blue and the green, would offer living 4 spaces, kitchen, dining room and additional powder 5 room.</p> <p>6 And then finally, the top two floors, 7 these are the bedroom suites. So this will be a 8 mix between the additional bedroom and the primary 9 suite. And so you'll have a combination of 10 bedrooms, bathrooms, walk-in closets, services 11 like laundry, and mechanical and water heater 12 spaces and then, obviously, the stairs to traverse 13 vertically throughout both the ends.</p> <p>14 Q At one point in the development, review 15 and entitlement process in Montgomery County is 16 architecture and site design evaluated and 17 formally approved?</p> <p>18 A Architecture and site design are formally 19 evaluated and approved by the Montgomery County 20 Planning Board at the time of preliminary and 21 final site plan; and, as such, Tri Pointe is 22 currently preparing to submit a preliminary plan 23 of subdivision and the subsequent site plan for 24 approval.</p> <p>25 Q Are you familiar with the binding</p>

<p>85</p> <p>1 elements, and do you agree with them?</p> <p>2 A I am familiar, and I do agree with them,</p> <p>3 most notably the binding elements of 15 percent</p> <p>4 moderately-priced dwelling units and that central</p> <p>5 green space. Our commitment to these binding</p> <p>6 elements represents our pledge to create a</p> <p>7 thriving new community that brings much-needed</p> <p>8 affordable housing stock to the individuals and</p> <p>9 families looking to live in the Deerwood</p> <p>10 community.</p> <p>11 Q Is there anything else you'd like to add</p> <p>12 today?</p> <p>13 A Nothing -- nothing at this time.</p> <p>14 MR. BIASE: Thank you, Mr. Esposito, no</p> <p>15 further questions. And I will turn it to my</p> <p>16 colleague Patrick for our next witness.</p> <p>17 MR. O'NEIL: Thank you. We call Mike</p> <p>18 Goodman as our next witness.</p> <p>19 THE HEARING EXAMINER: Mr. Goodman, if you</p> <p>20 could kindly raise your right hand.</p> <p>21 (The witness was sworn.)</p> <p>22 THE HEARING EXAMINER: Thank you.</p> <p>23 MICHAEL GOODMAN,</p> <p>24 having been first duly sworn or affirmed, was</p> <p>25 examined and testified as follows:</p>	<p>87</p> <p>1 construction administration.</p> <p>2 I've got expertise in many different types</p> <p>3 of land development, entitlement planning, civil</p> <p>4 engineering, including urban redevelopment, in --</p> <p>5 fill, greenfield, multifamily, single family,</p> <p>6 retail, office, lab and other commercial projects.</p> <p>7 I have experience working as a civil engineer in</p> <p>8 Montgomery County, as well as other jurisdictions.</p> <p>9 And I did receive my Bachelor's of Science</p> <p>10 from the Pennsylvania State University.</p> <p>11 Q Are you also licensed as a professional</p> <p>12 engineer?</p> <p>13 A I am licensed in the State of Maryland.</p> <p>14 It's license number 27721.</p> <p>15 Q And you, to the extent that it's not in</p> <p>16 the record -- well, it is in the record, but we</p> <p>17 will cover it as for you. Can you state VIKA</p> <p>18 Maryland's full business address?</p> <p>19 A Yes, it's 20251 Century Boulevard, Suite</p> <p>20 400, in Germantown, Maryland.</p> <p>21 Q And as the executive vice president, you</p> <p>22 indicated what your responsibilities are. Have</p> <p>23 you ever testified as an expert before the</p> <p>24 Montgomery County Office of Zoning and</p> <p>25 Administrative Hearings?</p>
<p>86</p> <p>1 DIRECT EXAMINATION BY COUNSEL FOR THE APPLICANT</p> <p>2 BY MR. O'NEIL:</p> <p>3 Q Thank you, Mr. Goodman. Can you please</p> <p>4 state your full name and primary occupation for</p> <p>5 the record?</p> <p>6 A My name is Michael Goodman, M-I-C-H-A-E-L</p> <p>7 G-O-O-D-M-A-N. I'm Executive Vice President of</p> <p>8 VIKA Maryland.</p> <p>9 Q And you are a civil engineer; is that</p> <p>10 correct?</p> <p>11 A That's correct.</p> <p>12 Q How long have you been employed as a civil</p> <p>13 engineer?</p> <p>14 A Over 27 years.</p> <p>15 Q As an engineer. And how about with VIKA?</p> <p>16 A 19 years with VIKA.</p> <p>17 Q And your role at VIKA currently?</p> <p>18 A I'm a partner at VIKA, and I oversee the</p> <p>19 land development services that we provide.</p> <p>20 Q Can you please describe your professional</p> <p>21 and educational background and any professional</p> <p>22 designations or accreditations you've received?</p> <p>23 A Yes. I mentioned that I've got over 27</p> <p>24 years of experience on land development projects</p> <p>25 from the concept stage all the way through</p>	<p>88</p> <p>1 A Yes, I have.</p> <p>2 Q Have you ever testified as an expert</p> <p>3 before other zoning and planning agencies; and, if</p> <p>4 so, in what capacity have you been qualified to</p> <p>5 testify?</p> <p>6 A I have testified before many of the</p> <p>7 Montgomery County review boards, including the</p> <p>8 Montgomery County Planning Board. I've testified</p> <p>9 in front of the City of Rockville, City of</p> <p>10 Gaithersburg. To my knowledge, those don't have</p> <p>11 qualifications to testify, though.</p> <p>12 THE HEARING EXAMINER: Are you able -- is</p> <p>13 there -- sorry to put you on the spot. If there's</p> <p>14 a case number you could cite on a matter that you</p> <p>15 testified before OZAH, then we can dispense with</p> <p>16 further --</p> <p>17 THE WITNESS: I don't have that case</p> <p>18 number. It was some time ago that I last</p> <p>19 testified before this board. It was about 15</p> <p>20 years.</p> <p>21 THE HEARING EXAMINER: Okay. If you have</p> <p>22 testified before OZAH before this, we can dispense</p> <p>23 with further --</p> <p>24 MR. O'NEIL: Excellent. Thank you. So we</p> <p>25 move to have Mr. Goodman admitted as an expert</p>

<p>89</p> <p>1 witness.</p> <p>2 THE HEARING EXAMINER: Do you have resumes</p> <p>3 on the record?</p> <p>4 MR. O'NEIL: Resume is at Exhibit 30.</p> <p>5 THE HEARING EXAMINER: Exhibit 30. The</p> <p>6 request to have Mr. Goodman qualified as an expert</p> <p>7 is granted.</p> <p>8 MR. O'NEIL: Thank you.</p> <p>9 BY MR. O'NEIL:</p> <p>10 Q Mr. Goodman, what is the relevant sector</p> <p>11 plan for this property?</p> <p>12 A The property is located within the Adopted</p> <p>13 2006 Shady Grove Sector Plan, which was also</p> <p>14 subject to the 2021 Minor Master Plan Amendment.</p> <p>15 Q And have you reviewed these master plans</p> <p>16 or sector plans?</p> <p>17 A Yes, I have.</p> <p>18 Q Are you familiar with the Local Map</p> <p>19 Amendment application which is before the Hearing</p> <p>20 Examiner today?</p> <p>21 A Yes, I am familiar with the application.</p> <p>22 I'm serving as the civil engineer for this</p> <p>23 application, having to help oversee and prepare</p> <p>24 the relevant engineering plans.</p> <p>25 Q And in that capacity, did you prepare a</p>	<p>91</p> <p>1 Mr. Kalbag had mentioned some of them. There's</p> <p>2 one that's to the south of the property off of</p> <p>3 Standish Place. There's one that's to the west</p> <p>4 that's also off of Standish Place. And there's</p> <p>5 one to the north, which again is off the Standish</p> <p>6 Place. There are no vehicular access to Crabbs</p> <p>7 Branch Way.</p> <p>8 The north and the south entrances are</p> <p>9 connected by that spine road that was previously</p> <p>10 mentioned.</p> <p>11 And then the west entrance really just</p> <p>12 serves as a tertiary entrance. It could also</p> <p>13 serve as a pedestrian connection up to the park</p> <p>14 that Mr. Kalbag had described.</p> <p>15 Q Mr. Kalbag also described the fire access</p> <p>16 lane. And if you can comment on just how that</p> <p>17 that works within the circulation plan.</p> <p>18 A Yeah. So the fire access lane that is</p> <p>19 immediately adjacent to the park property provides</p> <p>20 the proximity that's necessary for fire trucks to</p> <p>21 get to those houses. Because they are four</p> <p>22 stories, the fire lane needs to be within 50 feet</p> <p>23 of the front entry. So the fire access lane is an</p> <p>24 important part of meeting those requirements. And</p> <p>25 we feel like integrating it with the open space by</p>
<p>90</p> <p>1 civil engineering report and plans that are part</p> <p>2 of the application submission?</p> <p>3 A We did prepare the engineering plans as</p> <p>4 part of this application.</p> <p>5 Q And have you and other members of your</p> <p>6 firm made a personal inspection of the subject</p> <p>7 property?</p> <p>8 A Yes, I have, as well as my Staff has made</p> <p>9 a personal inspection both for surveying and</p> <p>10 environmental reviews.</p> <p>11 MR. O'NEIL: And if we could have Exhibit</p> <p>12 31 called, and, again, this is floating zone plan</p> <p>13 two, which is one of four sheets associated with</p> <p>14 that exhibit as modified.</p> <p>15 Q Have you reviewed this floating zone plan</p> <p>16 that was submitted as part of the Local Map</p> <p>17 Amendment application?</p> <p>18 A Yes, I have.</p> <p>19 Q Can you describe the vehicular access and</p> <p>20 circulation of this proposed development as shown</p> <p>21 on Exhibit 31, FZP-2?</p> <p>22 A If I may approach that screen.</p> <p>23 THE HEARING EXAMINER: Yes.</p> <p>24 A So there's proposed to be three different</p> <p>25 vehicular entrances to the property, and</p>	<p>92</p> <p>1 making it pedestrian dominated is a good use of</p> <p>2 the property.</p> <p>3 Q In your professional opinion, will</p> <p>4 vehicular access be safe and adequate for the</p> <p>5 proposed development?</p> <p>6 A Yes, it is.</p> <p>7 Q Have you evaluated the availability of</p> <p>8 water, sewer, gas and other utilities at this</p> <p>9 location?</p> <p>10 A The site is currently served by water,</p> <p>11 sewer, electric and communication. They are all</p> <p>12 immediately adjacent to the property. And the</p> <p>13 site is not using gas. The office building does</p> <p>14 not use gas, but there is gas adjacent to it as</p> <p>15 well.</p> <p>16 Q And are those utilities adequate to</p> <p>17 support the proposed new housing?</p> <p>18 A Yes. We had some initial coordination</p> <p>19 with the Washington Suburban Sanitary Commission,</p> <p>20 and they have expressed that there's no capacity</p> <p>21 issues for water and sewer. We've also been</p> <p>22 working with the Applicant's dry utility</p> <p>23 consultant who specializes with the electric, the</p> <p>24 gas, the communication. They've also stated that</p> <p>25 there's no capacity issues.</p>

<p>93</p> <p>1 Q The Hearing Examiner had asked about 2 stormwater management previously. Can you comment 3 on the stormwater management concept plan that's 4 required for this project?</p> <p>5 A Yeah. So we've prepared some initial 6 designs to make sure that we are comfortable that 7 the site's going to meet the stormwater management 8 requirements for Montgomery County and the State 9 of Maryland.</p> <p>10 THE HEARING EXAMINER: Is the amended 11 stormwater plan, is that Exhibit 37?</p> <p>12 MR. O'NEIL: Yes. Would you like to have 13 that as a reference?</p> <p>14 THE WITNESS: Yes. Thank you. Thank you 15 very much.</p> <p>16 THE HEARING EXAMINER: You're welcome.</p> <p>17 MR. O'NEIL: 37, please. Thank you.</p> <p>18 Q So again, can you comment on how this 19 concept plan is required for the project?</p> <p>20 A Yes. So the existing property, the office 21 buildings, they don't have -- they don't appear to 22 have any kind of existing on-site stormwater 23 management being provided. However, there are two 24 off-site stormwater ponds. One is to the south of 25 the property, and one is to the west. Those two</p>	<p>95</p> <p>1 adjacent to theirs. Theirs would be, most likely, 2 pitching up the roof drain to treat the water 3 coming off the rooftop.</p> <p>4 THE HEARING EXAMINER: Is that the ones 5 that have the red dots, the little red markings, 6 and some of them say MBF and others say R bio?</p> <p>7 THE WITNESS: Yeah. Those would both be, 8 essentially, different types of the kinds. The R 9 bio is like the roadside bio. The other one is 10 the one that would be serving the townhouses. I'm 11 honestly colorblind a little bit, so I can't tell 12 the differences between the colors too well. But 13 yeah, that's right.</p> <p>14 So like, you know, for example, this one 15 next to the sticker for the two-unit condos, that 16 would be picking up roof water. And then these 17 two that are at the bend of the spine road, those 18 two would be picking up road water.</p> <p>19 As alluded to earlier, we're preparing the 20 preliminary plan and the site plan, which, you 21 know, would accommodate -- like, you know, we'd be 22 looking in much more detail at the grading, 23 understanding the roof drainage requirements. I'm 24 certain that what we're displaying here is going 25 to adjust, but our intention is that we will be</p>
<p>94</p> <p>1 ponds, it's presumed that they were built at the 2 time of the development of the office park. We've 3 had some initial work with Montgomery County 4 Department of Permitting Services to determine, 5 you know, more information about what those ponds' 6 intents were. We have approached this application 7 with the expectation that the ponds really are not 8 going to provide any kind of stormwater management 9 for us. When facilities were built at the time 10 when this office building was built, the Sixties, 11 Seventies or whatever, they don't meet the current 12 regulations. So our expectation is that we need 13 to provide our stormwater management on site for 14 the most part.</p> <p>15 We're going to be providing a series of 16 microbio-retention facilities. Sometimes there 17 will be adjacent to the road, which would pick up 18 the road runoff and provide filtration before it 19 goes back into the pipe storm drain, sometimes 20 those -- and you can see those. For example, in 21 the spine road, you can see several of the colored 22 areas where some of those facilities are going to 23 be located. You can also see in some of the areas 24 adjacent to the townhouses and the two-unit 25 condominiums, there's some facilities immediately</p>	<p>96</p> <p>1 providing stormwater management on site.</p> <p>2 Some of these other rectangles that are 3 more to the edge of the periphery of the site next 4 to Standish, I believe they're blue. There's 5 three of them. Those are actually going to be 6 underground storage vaults with filtration using 7 some kind of cartridge filtration to allow the 8 water to be cleaned in that manner before it is 9 discharged.</p> <p>10 All of the water from the site is -- well, 11 the vast majority, I should say, is draining to 12 those two stormwater management ponds today, and 13 it will continue to do so when we prepare the 14 preliminary (indiscernible).</p> <p>15 Q Approximately how many microbio-retention 16 facilities are proposed at this time?</p> <p>17 A Right now this plan shows 20. It's 18 certainly possible that, you know, we might 19 increase some sizes and decrease the number. We 20 might increase the number of facilities and 21 decrease the sizes. But, as I said, we're 22 proposing the onsite.</p> <p>23 Q Is the property located in a special 24 protection area?</p> <p>25 A No, it is not.</p>

Transcript of Hearing
Conducted on February 6, 2025

25 (97 to 100)

<p>97</p> <p>1 MR. O'NEIL: Did the Hearing Examiner have 2 any further questions on stormwater management? 3 THE HEARING EXAMINER: No. And my 4 understanding is you don't really have -- you're 5 not committed to stormwater management plan at 6 this stage, but we have to -- you know, I have to 7 check a box that there's a stormwater management 8 strategy. 9 MR. O'NEIL: Correct. Yeah. 10 THE WITNESS: That's right. That's right. 11 At the time of preliminary site plan, we'll submit 12 and receive approval of a stormwater concept. 13 THE HEARING EXAMINER: Thank you very 14 much. 15 BY MR. O'NEIL: 16 Q In your professional opinion, does the 17 proposed floating zone plan satisfy all applicable 18 zoning requirements for approval of a Local Map 19 Amendment? 20 A Yes. 21 Q Including the conformance with master plan 22 and general plan for the County? 23 A Yes, I do. 24 Q Do you agree with the findings made by 25 Park and Planning Staff in the Staff report?</p>	<p>99</p> <p>1 MR. BIASE: Yes. We'd like to call our 2 next witness, Mr. Nick Driban. 3 THE HEARING EXAMINER: Kindly raise your 4 right hand. 5 (The witness was sworn.) 6 NICHOLAS DRIBAN, 7 having been first duly sworn or affirmed, was 8 examined and testified as follows: 9 DIRECT EXAMINATION BY COUNSEL FOR THE APPLICANT 10 BY MR. BIASE: 11 Q Can you please state your full name and 12 occupation? 13 A Yes. Nicholas Driban, for the record, 14 N-I-C-H-O-L-A-S, last name D-R-I-B-A-N, and I am a 15 professional engineer focused on traffic 16 engineering. 17 MR. BIASE: Mr. Driban has previously 18 testified as an expert witness in traffic 19 engineering before this body, but we're prepared 20 to ask qualifying questions, if you would like for 21 us to -- 22 THE HEARING EXAMINER: Do you have a case 23 number that -- 24 THE WITNESS: I do. Yes, so I have 25 several. The two most recent were CU 24-15 and CU</p>
<p>98</p> <p>1 A Yes, I do. 2 Q And do you agree with the binding elements 3 recommended by the Planning Board? 4 A Yes, I do. 5 Q Anything else you'd like to add? 6 A Not at this time. 7 MR. O'NEIL: Thank you. No further 8 questions from me. 9 THE WITNESS: Thank you. 10 THE HEARING EXAMINER: You're welcome. 11 MR. O'NEIL: We have one more relatively 12 quick witness, and then we're done, unless you 13 have more questions or information you'd like to 14 have. 15 THE HEARING EXAMINER: No. That's fine. 16 And I know we started on a two-hour delay, so I 17 was happy to plow right through. 18 MR. O'NEIL: Perfect. 19 THE HEARING EXAMINER: Of course, assuming 20 you don't need a break, but I'm perfectly fine to 21 go right through. 22 MR. O'NEIL: We're ready. We're ready to 23 go. Thank you. And again I'll turn to my 24 colleague, Vince Biase, to talk to our traffic 25 engineer.</p>	<p>100</p> <p>1 24-10, which were both last year. There are 2 numerous other cases before that over the last 3 several years that I can point to, but those are 4 the two most recent. 5 THE HEARING EXAMINER: Your prior 6 clarification before OZAH is recognized, and we 7 can dispense with any further testimony of that. 8 MR. BIASE: Thank you. So we move that 9 Mr. Driban be admitted as an expert in traffic 10 engineering. 11 THE HEARING EXAMINER: Motion granted. 12 BY MR. BIASE: 13 Q Have you prepared traffic analyzes and 14 provided expert testimony in connection with other 15 cases before the Office of Zoning and 16 Administrative Hearings? 17 A Yes, I have. 18 Q And are you familiar with the Local Map 19 Amendment application which is before the Hearing 20 Examiner today, LMA H-156? 21 A Yes, I am. 22 Q Can you please describe your 23 responsibilities with regard to the subject Local 24 Map Amendment application? 25 A Yes. I was responsible for evaluating the</p>

<p>101</p> <p>1 Local Map Amendment site plan with respect to the</p> <p>2 County's Adequate Public Facilities Ordinance,</p> <p>3 which is codified under the growth and</p> <p>4 infrastructure policy, GIP. And the guidelines</p> <p>5 for that are codified under the Local Area</p> <p>6 Transportation Review Guidelines, which -- so I</p> <p>7 was responsible for reviewing under those</p> <p>8 auspices, and then also took a look at site</p> <p>9 circulation for both pedestrians, vehicles,</p> <p>10 bicyclists and transit as well.</p> <p>11 Q Have you made a personal inspection of</p> <p>12 this site, and are you familiar with the</p> <p>13 surrounding area?</p> <p>14 A Yes, I have, and I am.</p> <p>15 Q Did you and your firm prepare a written</p> <p>16 report analyzing your findings for the proposed</p> <p>17 use on the property in connection with this LMA</p> <p>18 application?</p> <p>19 A Yes, we did. As noted before, the primary</p> <p>20 focus of that was with respect to the Local Area</p> <p>21 Transportation Review Guidelines, and we prepared</p> <p>22 a traffic statement according to those guidelines.</p> <p>23 Q Can you describe generally how vehicles</p> <p>24 currently enter and exit the subject property, and</p> <p>25 then the proposed access for the project?</p>	<p>103</p> <p>1 and efficient?</p> <p>2 A Yes, it will. Under the Local Area</p> <p>3 Transportation Review Guidelines, there are two</p> <p>4 sort of paths that a project can go. One is a</p> <p>5 full local area transportation review study, what</p> <p>6 sort of, more traditionally, is known as a traffic</p> <p>7 impact study, or in Montgomery County's case, kind</p> <p>8 of a transportation impact study, because it</p> <p>9 accommodates -- it evaluates multiple modes. So</p> <p>10 it's not just focused on vehicles, but it also</p> <p>11 looks at pedestrians, transit, bicyclists and</p> <p>12 safety as well.</p> <p>13 If a site generates greater than 50</p> <p>14 peak-hour person trips, it is subject to</p> <p>15 completion of a full study, a full evaluation for</p> <p>16 all of those modes. In this case, because we did</p> <p>17 not generate -- the site -- the proposed change on</p> <p>18 the site will not generate more than 50 net new</p> <p>19 peak-hour person trips -- that's a mouthful, but</p> <p>20 that's the County standards -- net new peak-hour</p> <p>21 person trips, because it generates less than 50</p> <p>22 trips, it is not subject to a full LATR study.</p> <p>23 Instead, we have a transportation exemption</p> <p>24 statement that complies with LATR requirements.</p> <p>25 And I just want to touch on the trip</p>
<p>102</p> <p>1 A Yes. The vehicular access today consists</p> <p>2 of four access points along Standish Place. As</p> <p>3 part of the design for -- the proposed design for</p> <p>4 the property, as you heard from the other expert</p> <p>5 witnesses earlier, those access points will be</p> <p>6 consolidated to three locations, still all from</p> <p>7 Standish Place. There's no vehicular access</p> <p>8 proposed from Crabbs Branch Way.</p> <p>9 Q Are you familiar with Montgomery County's</p> <p>10 Local Area Transportation Review Guidelines?</p> <p>11 A Yes.</p> <p>12 Q Is the proposed LMA subject to Local Area</p> <p>13 Transportation review?</p> <p>14 A It is. All cases that come before the</p> <p>15 Office of the Zoning Administrator are subject to</p> <p>16 Local Area Transportation Review Guidelines, as</p> <p>17 are the majority of cases that go before the</p> <p>18 Planning Board.</p> <p>19 Q And the traffic statement that you</p> <p>20 prepared for this project, did that statement</p> <p>21 address the applicability of LATR?</p> <p>22 A Yes, it was prepared in accordance with</p> <p>23 LATR guidelines.</p> <p>24 Q In your professional opinion, will the</p> <p>25 vehicular access for the project be safe, adequate</p>	<p>104</p> <p>1 generation. You know, the County -- all of this</p> <p>2 is guided by County standards under the Local Area</p> <p>3 Transportation Review Guidelines. In this case</p> <p>4 what we compare is the existing office use, which</p> <p>5 is plus or minus 180,000 square feet, to the</p> <p>6 proposed use --</p> <p>7 THE HEARING EXAMINER: Mr. Goodman, you're</p> <p>8 referring to a report. Is that Exhibit 39?</p> <p>9 THE WITNESS: Yes, it is. Yes. Apologies</p> <p>10 for not clarifying that.</p> <p>11 THE HEARING EXAMINER: No. That's fine.</p> <p>12 A So in this case, Exhibit 39, the traffic</p> <p>13 exemption statement that we prepared, compares</p> <p>14 trip generation for the existing office use, which</p> <p>15 is around 180,000 square feet, to trip generation</p> <p>16 for the proposed single-family use that we've been</p> <p>17 discussing here today as part of the Local Map</p> <p>18 Amendment, 210 units, up to 210 units. And the</p> <p>19 finding of our study, of our traffic statement is</p> <p>20 that the net change in traffic will be a decrease</p> <p>21 of 206 peak-hour person trips during the a.m. peak</p> <p>22 hour, so the busiest hour of traffic in the</p> <p>23 morning, and a decrease of 168 peak-hour person</p> <p>24 trips during the p.m. peak hour. In other words,</p> <p>25 the proposed use is less than half of the traffic</p>

Transcript of Hearing
Conducted on February 6, 2025

27 (105 to 108)

<p>105</p> <p>1 in terms of both vehicles and people, so 2 pedestrians, bicyclists, transit users, compared 3 to what's out there today. 4 THE HEARING EXAMINER: When I write the 5 report and when I'm writing my recommendation, 6 I'll have to go back to the report. Could you 7 point me to where those numbers -- 8 THE WITNESS: Yes. 9 THE HEARING EXAMINER: -- are in your 10 Exhibit 39? 11 THE WITNESS: Absolutely. It's on Exhibit 12 2. At the very bottom, highlighted in yellow, is 13 the peak-hour person trips. Number 39. 14 THE HEARING EXAMINER: There. 15 THE WITNESS: Yeah. So this is the whole 16 exhibit. I can approach the screen and show you. 17 The whole exhibit highlights the County's 18 trip-generation methodology. And unless you want 19 me to, I'll spare you the detail on that. But if 20 you could scroll down just a bit, this section 21 highlighted in the yellow is what is evaluated 22 under Local Area Transportation Review Guidelines. 23 So if we were greater than 50 here, the site would 24 be subject to a full transportation impact study 25 under LATR. Because it's a net decrease -- it's</p>	<p>107</p> <p>1 A Yes. As outlined in Exhibit 39, the 2 traffic statement that I prepared, this site, due 3 to the substantial reduction in the amount of 4 traffic on the roads, is compliant with LATR 5 guidelines and meets the required finding under 6 Section 7.2.1.E.2.E. 7 Q Do you believe from a traffic standpoint 8 that the proposed use is compatible with the 9 surrounding properties? 10 A Yes, I do. To the point of testimony that 11 some of the earlier witnesses provided, you know, 12 there are, I think, a couple major benefits that 13 are coming as part of this site in terms of 14 transportation. 15 For one, the consolidation of access 16 points along Standish Place will enhance the 17 safety for pedestrians and bicyclists in the area, 18 fewer conflict points between vehicles and other 19 modes of transportation. 20 The sidewalk along Standish Place is being 21 upgraded and widened to be continuous along the 22 whole length. There are upgrades to the sidewalk 23 along Crabbs Branch Way, including a shared-use 24 path, which will be a nicer, better facility for 25 pedestrians and bicyclists.</p>
<p>106</p> <p>1 much less than a 50-trip increase. Because it's a 2 net decrease, the only thing that's required under 3 LATR to prove adequacy is a transportation -- 4 adequate transportation exemption statement. 5 BY MR. BIASE: 6 Q And, Mr. Driban, for the record, what page 7 are you pointing to of Exhibit 39? 8 A So it's Exhibit 2 of Exhibit 39. It's 9 page four of the document. 10 Q Thank you. 11 A Yes. 12 Q Did Planning Staff review the traffic 13 statement and your LATR exemption statement? 14 A Yes, they did. 15 Q And did they agree with your conclusions? 16 A Yes, they did. 17 Q Section 7.2.1.E.2.E requires a finding 18 that the floating zone plan will generate traffic 19 that does not exceed the critical lane volume or 20 volume capacity ratio standard as applicable under 21 the Planning Board's LATR guidelines, or, if 22 traffic exceeds the applicable standard, that the 23 Applicant demonstrate an ability to mitigate such 24 adverse impacts. In your professional opinion, 25 will the project satisfy this requirement?</p>	<p>108</p> <p>1 And the site is also adequately served by 2 transit as well with the major bus line there. So 3 yes, it does. 4 Q Have you reviewed the Planning Staff 5 report? Do you agree with Staff's findings? 6 A Yes. My testimony here is consistent with 7 what Staff found in their report, and I -- and I 8 am in agreement with their findings. 9 Q Are you familiar with the Planning Board's 10 recommended binding elements, and do you agree 11 with them? 12 A Yes, I do. 13 Q Is there anything else that you would like 14 to add? 15 A That's all. 16 MR. BIASE: Thank you. Mr. Driban. No 17 further questions. 18 THE HEARING EXAMINER: No. This is 19 helpful. And just to confirm, there is a binding 20 element that limits vehicle access only to 21 Standish? 22 THE WITNESS: Correct. 23 THE HEARING EXAMINER: Okay. 24 THE WITNESS: Yes. I think, you know, 25 from an access standpoint, that's what the plan is</p>

Transcript of Hearing
Conducted on February 6, 2025

28 (109 to 112)

<p>109</p> <p>1 showing. From a transportation standpoint, I</p> <p>2 certainly agree with that. That's the lower</p> <p>3 classification of road generally where you want to</p> <p>4 direct traffic to, and so we are -- we are in</p> <p>5 agreement with that.</p> <p>6 THE HEARING EXAMINER: Thank you.</p> <p>7 THE WITNESS: Thank you.</p> <p>8 MR. BIASE: I will turn it back to my</p> <p>9 colleague, Patrick O'Neil.</p> <p>10 MR. O'NEIL: Thank you, Vince.</p> <p>11 There is no further witnesses we have,</p> <p>12 unless there's more information that you would be</p> <p>13 seeking for your evaluation.</p> <p>14 THE HEARING EXAMINER: I think you've</p> <p>15 covered it all very extensively. This has been</p> <p>16 helpful.</p> <p>17 One minor little point I wanted to</p> <p>18 clarify. I know the next -- that a lot of the</p> <p>19 details, you know, setbacks with the townhouses</p> <p>20 will be dealt with at site plan, but am I correct</p> <p>21 in understanding that you have indicated on this</p> <p>22 floating zone plan what the setback is of the</p> <p>23 project from the street?</p> <p>24 MR. O'NEIL: That's correct. Yes. We had</p> <p>25 a back and forth with Staff just to confirm that</p>	<p>111</p> <p>1 I was flipping through the papers. Everything</p> <p>2 looks good. I just want to be absolutely sure</p> <p>3 that for the floating zone plan, which is --</p> <p>4 MR. O'NEIL: 31, 31.</p> <p>5 THE HEARING EXAMINER: That's 31.</p> <p>6 MR. O'NEIL: Yes.</p> <p>7 THE HEARING EXAMINER: So if you notice</p> <p>8 now, you offered me at the outset that if any of</p> <p>9 these were required in full size --</p> <p>10 MR. O'NEIL: Yes.</p> <p>11 THE HEARING EXAMINER: I think for Exhibit</p> <p>12 31 if we could actually have the full size, that</p> <p>13 would be helpful.</p> <p>14 MR. O'NEIL: For the entire -- for all</p> <p>15 four sheets?</p> <p>16 THE HEARING EXAMINER: For all four</p> <p>17 sheets, correct. Do you have any part of 31</p> <p>18 currently full size here in this collection?</p> <p>19 MR. O'NEIL: We have -- on a board we</p> <p>20 have, but I think it's -- so the record will show</p> <p>21 that I'm showing a board of Exhibit FZP-2 to the</p> <p>22 Hearing Examiner. The problem is it's affixed to</p> <p>23 the board itself.</p> <p>24 THE HEARING EXAMINER: Yes. If we could</p> <p>25 have that -- the record will be open for 10</p>
<p>110</p> <p>1 that's what they're stating in their Staff report.</p> <p>2 And I forget off the top of my head what that</p> <p>3 distance was but --</p> <p>4 THE HEARING EXAMINER: Within 30 feet</p> <p>5 maybe?</p> <p>6 MR. O'NEIL: I believe so. Yes. Yeah, I</p> <p>7 stated in the Staff report. Again, we had</p> <p>8 confirmed that with Staff to make sure that we're</p> <p>9 on the same page, and we are.</p> <p>10 THE HEARING EXAMINER: Okay. Thank you.</p> <p>11 And I -- you know, I do understand that the, you</p> <p>12 know, when you get to site plan is when you nail</p> <p>13 down some of the details about where the</p> <p>14 particular townhouses setback will be, but --</p> <p>15 Okay. Thank you very much.</p> <p>16 MR. O'NEIL: Yeah. Thank you for that</p> <p>17 clarification. With that, we're ready for closing</p> <p>18 remarks, or any other information you would like.</p> <p>19 THE HEARING EXAMINER: You may go ahead</p> <p>20 with your closing statement.</p> <p>21 MR. O'NEIL: Thank you. Normally, at the</p> <p>22 closing, we'll make sure that all the exhibits are</p> <p>23 lined up and admitted. I think we're in good</p> <p>24 shape there having done so at the beginning.</p> <p>25 THE HEARING EXAMINER: We are. The one --</p>	<p>112</p> <p>1 business days. This one, I think, we need in full</p> <p>2 size.</p> <p>3 MR. O'NEIL: Okay.</p> <p>4 THE HEARING EXAMINER: Which is, I</p> <p>5 believe -- you have a prior iteration, I believe,</p> <p>6 was in full size.</p> <p>7 MR. O'NEIL: Yes, yes. That's correct.</p> <p>8 THE HEARING EXAMINER: Yes.</p> <p>9 MR. O'NEIL: That would be FZP-2 you would</p> <p>10 like a full size.</p> <p>11 THE HEARING EXAMINER: Correct.</p> <p>12 MR. O'NEIL: And for the record, too, we</p> <p>13 owe you electronic copies of the amended 31,</p> <p>14 Exhibit 31, that has the four sheets versus one.</p> <p>15 THE HEARING EXAMINER: Correct. With</p> <p>16 that, I think that you may proceed with the rest</p> <p>17 of your closing.</p> <p>18 MR. O'NEIL: Thank you. We'll be brief</p> <p>19 since the witnesses have done an extensive review</p> <p>20 of the obligations and requirements, and the</p> <p>21 Hearing Examiner seemed to be satisfied with that</p> <p>22 testimony.</p> <p>23 In particular, we put forth witnesses plus</p> <p>24 information in the record that includes the</p> <p>25 (indiscernible) report, the LATR traffic study,</p>

Transcript of Hearing
Conducted on February 6, 2025

29 (113 to 116)

<p>113</p> <p>1 the Staff report and the Planning Board's 2 recommendation of approval as set forth in its 3 transmittal letter. 4 We believe the Applicant, through all 5 these efforts, has demonstrated that the proposed 6 LMA application satisfies all of the Zoning 7 Ordinance requirements, including the findings 8 contained in the Zoning Ordinance that are 9 required to approve the LMA. 10 The project is consistent with the 2021 11 Shady Grove Minor Master Plan Amendment, and with 12 County policies that seek to implement more 13 housing options in this area. And to this end, 14 the project includes a variety of unit sizes and 15 layouts for two-unit condominiums and townhouses, 16 along with a commitment to provide 15 percent 17 moderately-priced dwelling units within this new 18 neighborhood. 19 This truly is an excellent use for the 20 property, and it fits well into the area, and is 21 in close proximity to the Metro, along with close 22 proximity to other goods and services that would 23 be desired for residential uses. It is clearly in 24 the public interest. 25 We are very proud of this application and</p>	<p>115</p> <p>1 MR. O'NEIL: Yes. 2 THE HEARING EXAMINER: Correct. Is there 3 a case number associated with that cited in any of 4 this? 5 MR. O'NEIL: The transmittal letter -- 6 THE HEARING EXAMINER: The SCP plan 7 number? 8 THE HEARING EXAMINER: Yes. 9 MR. BIASE: Is F20250010. 10 THE HEARING EXAMINER: Could you go over 11 that again one more time? 12 MR. BIASE: Sure. F0250010. 13 THE HEARING EXAMINER: Thank you very 14 much. All set. 15 MR. O'NEIL: So that concludes our 16 presentation, and we're ready for discussion on 17 next steps as directed by you. 18 THE HEARING EXAMINER: Thank you very much 19 for everyone's time and for your very thorough 20 presentation. We appreciate it. Like I said, it 21 makes review and writing of the decision much 22 easier. So I know it might seem tedious, but it's 23 important. 24 As I mentioned at the outset, the record 25 will remain open for 10 business days. The record</p>
<p>114</p> <p>1 how we arrived here today. In particular, I can 2 not underscore how much we appreciate Staff's 3 willingness, in that case Planning Staff and your 4 Staff, to work with us to arrive at the 5 application that we presented today. And we 6 certainly appreciate the Hearing Examiner's review 7 of the application and thoughtful questions that 8 were asked. 9 And following all that, we respectfully 10 request that the record for the LMA be closed, 11 although I think we're going to have a 12 conversation about that, following receipt of the 13 transcript that the Hearing Examiner recommends 14 approval for the application, and we hope that you 15 will be able to do so. 16 THE HEARING EXAMINER: My apologies, 17 because the question just popped into my mind. I 18 should have asked this earlier. I know you have 19 the -- you know, we have the forest conservation 20 documentation, the Planning Board when they 21 reviewed this where they approved a forest 22 conservation plan -- 23 MR. O'NEIL: The preliminary forest 24 conservation plan. 25 THE HEARING EXAMINER: The preliminary.</p>	<p>116</p> <p>1 will close on February 16. It will remain open 2 only for submission of the court reporter's 3 transcript. All exhibits on the exhibit list have 4 been admitted into the record. 5 (All exhibits admitted.) 6 THE HEARING EXAMINER: During the 10 7 business days, we'll be receiving simply hard 8 copies of what has already been accepted here. 9 There's an Exhibit 31 that we are going to receive 10 a full sized -- 11 MR. O'NEIL: Full-size copy of Exhibit 31. 12 THE HEARING EXAMINER: And then an 13 electronic version as well of all four pieces of 14 that Exhibit 31. With the exception of the 15 exhibits, the ones that are to be submitted, other 16 than that, the record is closed. 17 MR. O'NEIL: Excellent. 18 THE HEARING EXAMINER: As I mentioned at 19 the outset, from the date of closing of the 20 record, the Hearing Examiner's report and 21 recommendation to the District Council is due 22 within 45 days of that date. Thank you very much, 23 and I think at this point I will officially close 24 the public hearing. 25 (The hearing adjourned at 1:37 p.m.)</p>

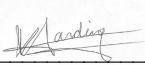
Transcript of Hearing
Conducted on February 6, 2025

30 (117 to 120)

117

CERTIFICATE OF COURT REPORTER - NOTARY PUBLIC

I, Konly Harding, the officer before whom
the foregoing proceedings were taken, do hereby
certify that any witnesses in the foregoing
proceedings were fully sworn; that the proceedings
were recorded by me and thereafter reduced to
typewriting by a qualified transcriptionist; that
said digital audio recording of said proceedings
are a true and accurate record to the best of my
knowledge, skills, and ability; and that I am
neither counsel for, related to, nor employed by
any of the parties to this case and have no
interest, financial or otherwise, in its outcome.



KONLY HARDING,
NOTARY PUBLIC FOR THE STATE OF MARYLAND

118

CERTIFICATE OF TRANSCRIBER

I, Nicole Mastrosimone, do hereby certify
that this transcript was prepared from the digital
audio recording of the foregoing proceeding; that
said transcript is a true and accurate record of
the proceedings to the best of my knowledge,
skills, and ability; and that I am neither counsel
for, related to, nor employed by any of the
parties to the case and have no interest,
financial or otherwise, in its outcome.



Nicole Mastrosimone,
Stenographic Reporter, Legal Transcriptionist
February 17, 2025

A			
ability	91:15, 91:18,	activities	addressing
57:4, 106:23,	91:23, 92:4,	26:2	71:4
117:10, 118:7	101:25, 102:1,	activity	adequacy
able	102:2, 102:5,	50:25	47:7, 62:9,
14:19, 18:12,	102:7, 102:25,	acts	106:3
40:25, 88:12,	107:15, 108:20,	41:14	adequate
114:15	108:25	actual	26:15, 63:2,
about	accessed	15:25, 63:17	72:13, 92:4,
11:9, 12:24,	61:5	actually	92:16, 101:2,
17:6, 19:24,	accessibility	13:17, 17:8,	102:25, 106:4
20:12, 20:14,	60:15	19:18, 22:15,	adequately
23:7, 24:1,	accessible	39:17, 40:23,	73:15, 108:1
26:4, 29:20,	38:23, 56:17,	46:12, 59:17,	adhere
31:20, 32:4,	56:18, 57:8,	63:14, 96:5,	51:18
32:11, 32:18,	57:10, 59:11,	111:12	adjacent
33:1, 33:18,	60:5, 61:4,	add	40:15, 53:2,
34:11, 34:17,	68:6, 68:9,	32:10, 34:1,	53:4, 55:22,
34:21, 34:22,	68:12, 68:21	35:3, 35:20,	60:4, 67:21,
34:24, 35:22,	accessing	39:22, 47:22,	67:25, 71:20,
37:9, 40:13,	48:11	56:21, 57:18,	91:19, 92:12,
46:14, 48:3,	accommodate	63:23, 67:14,	92:14, 94:17,
49:18, 52:5,	24:20, 25:2,	67:19, 67:20,	94:24, 95:1
57:13, 67:12,	25:15, 72:15,	74:10, 85:11,	adjourned
68:23, 68:25,	95:21	98:5, 108:14	116:25
69:19, 72:17,	accommodates	added	adjust
73:22, 74:15,	103:9	38:25, 41:7,	95:25
80:11, 86:15,	accommodating	80:12	administer
88:19, 93:1,	64:3	adding	75:22
94:5, 110:13,	accordance	41:12, 68:7,	administered
114:12	44:22, 102:22	71:13	28:10
above	according	addition	administration
46:14	50:18, 101:22	80:10	87:1
absolutely	accreditations	additional	administrative
13:18, 105:11,	28:8, 29:1,	74:11, 79:13,	1:1, 2:6,
111:2	86:22	82:18, 84:4,	11:13, 29:24,
accepted	accredited	84:8	87:25, 100:16
18:10, 23:10,	29:3	additionally	administrator
116:8	accurate	79:18, 80:21	102:15
access	117:9, 118:5	address	admitted
5:27, 17:20,	achieve	29:7, 29:9,	27:12, 30:18,
40:21, 41:6,	67:13	67:17, 75:20,	88:25, 100:9,
47:16, 48:7,	acquired	76:7, 79:16,	110:23, 116:4,
57:5, 57:15,	78:1	87:18, 102:21	116:5
61:1, 61:2,	acres	addressed	adopted
61:17, 61:18,	24:9, 24:11,	35:22, 39:19,	38:5, 43:4,
90:19, 91:6,	32:11, 32:13,	67:15, 74:16	89:12
	56:9	addresses	adverse
	across	57:4	106:24
	33:3, 33:5		

<p>adversely 72:25 advising 26:1 advisory 25:24 aerial 6:12, 15:5, 17:25, 31:17, 41:23 affect 72:25 affidavit 6:11, 17:25, 24:4 affirmed 76:2, 85:24, 99:7 affixed 111:22 affordable 80:18, 85:8 affordable-housi- ng 45:16 after 10:3, 14:6 again 13:25, 20:17, 36:2, 36:3, 41:8, 42:6, 42:7, 48:13, 48:15, 48:22, 50:9, 53:8, 60:14, 62:6, 64:8, 64:20, 70:8, 73:18, 83:23, 90:12, 91:5, 93:18, 98:23, 110:7, 115:11 against 9:5 aged 24:21 agencies 88:3 agency 30:8</p>	<p>aggrieved 10:2 aging 36:7, 49:11, 70:2 ago 88:18 agree 35:9, 43:20, 74:4, 85:1, 85:2, 97:24, 98:2, 106:15, 108:5, 108:10, 109:2 agreement 108:8, 109:5 agricultural 58:3 ahead 110:19 aicp 29:5 alexandria 78:19, 83:14 aligns 38:12, 74:8, 79:15 all 7:4, 7:14, 10:8, 10:10, 10:11, 12:12, 13:11, 13:12, 14:7, 16:18, 18:5, 21:25, 23:14, 23:21, 24:13, 37:21, 45:19, 46:4, 46:16, 47:6, 47:22, 48:6, 49:25, 54:17, 60:3, 61:5, 64:17, 65:23, 66:4, 66:17, 69:3, 70:3, 70:6, 73:19, 75:1, 86:25, 92:11, 96:10, 97:17, 102:6,</p>	<p>102:14, 103:16, 104:1, 108:15, 109:15, 110:22, 111:14, 111:16, 113:4, 113:6, 114:9, 115:14, 116:3, 116:5, 116:13 alleys 48:7, 48:11, 48:15, 82:17 allow 54:4, 55:17, 55:20, 58:9, 58:13, 96:7 allowed 33:2, 69:10 allowing 49:22 allows 47:11, 47:21 alluded 69:21, 95:19 along 23:23, 24:22, 33:25, 34:19, 34:22, 38:17, 40:2, 47:15, 47:19, 48:10, 55:7, 64:11, 69:4, 69:7, 69:9, 69:13, 82:14, 102:2, 107:16, 107:20, 107:21, 107:23, 113:16, 113:21 already 10:21, 12:20, 16:22, 18:9, 27:18, 35:14, 70:23, 71:21, 116:8 also 3:12, 26:11, 34:1, 40:24, 41:5, 45:24, 46:15, 47:6, 52:12, 53:17,</p>	<p>67:4, 69:12, 77:19, 87:11, 89:13, 91:4, 91:12, 91:15, 92:21, 92:24, 94:23, 101:8, 103:10, 108:1 although 114:11 always 12:1, 20:4 amended 5:25, 5:26, 5:27, 6:4, 6:5, 6:6, 6:7, 6:9, 6:10, 6:15, 6:17, 17:4, 17:9, 17:17, 17:18, 17:19, 17:20, 17:21, 17:22, 17:23, 17:24, 18:2, 22:5, 43:5, 43:8, 93:10, 112:13 amendment 7:6, 7:20, 7:21, 8:7, 9:14, 10:23, 15:9, 24:7, 25:1, 26:18, 30:24, 31:10, 38:5, 39:11, 41:14, 43:4, 43:9, 49:4, 64:22, 65:2, 65:6, 78:25, 89:14, 89:19, 90:17, 97:19, 100:19, 100:24, 101:1, 104:18, 113:11 amenities 78:22, 81:8 amenity 77:10 amenity-rich 77:7 american 29:3, 33:11</p>
---	---	---	--

<p>among 24:3, 26:8 amount 39:13, 64:2, 67:11, 68:23, 69:19, 107:3 analyzes 100:13 analyzing 101:16 anchor 44:15, 56:14 anchoring 41:11 anchors 39:3, 39:4 announcement 7:24 another 41:7, 74:25, 76:18 anticipated 35:4 any 8:15, 8:25, 10:2, 10:6, 11:8, 11:21, 12:3, 12:4, 12:5, 12:13, 21:3, 28:7, 29:1, 46:8, 54:5, 61:10, 65:18, 69:22, 71:4, 71:14, 75:2, 79:3, 80:7, 86:21, 93:22, 94:8, 97:2, 100:7, 110:18, 111:8, 111:17, 115:3, 117:4, 117:12, 118:8 anyone 7:13, 7:15, 7:18, 11:11, 16:11 anything 61:10, 67:14,</p>	<p>67:18, 74:3, 74:10, 85:11, 98:5, 108:13 apf 47:7 apologies 7:23, 13:25, 28:9, 64:20, 75:5, 104:9, 114:16 apologize 13:5 appear 93:21 applicability 49:1, 52:3, 57:24, 102:21 applicable 43:1, 43:3, 45:9, 47:1, 47:3, 47:7, 49:9, 64:17, 65:11, 65:12, 65:16, 65:20, 72:9, 73:2, 73:3, 73:20, 97:17, 106:20, 106:22 applicant 3:3, 7:8, 7:21, 8:17, 8:21, 10:18, 10:24, 11:25, 12:7, 12:10, 12:24, 14:2, 25:20, 28:1, 46:1, 75:16, 76:4, 77:20, 79:4, 80:6, 86:1, 99:9, 106:23, 113:4 applicant's 10:12, 81:15, 92:22 applicant's 5:24 application 1:6, 5:6, 5:16,</p>	<p>5:18, 7:7, 7:21, 8:6, 8:7, 8:14, 11:11, 24:10, 25:13, 25:23, 26:9, 26:12, 26:16, 30:24, 31:1, 31:5, 31:8, 44:19, 45:21, 49:12, 50:13, 64:25, 65:3, 67:10, 78:25, 81:11, 82:6, 89:19, 89:21, 89:23, 90:2, 90:4, 90:17, 94:6, 100:19, 100:24, 101:18, 113:6, 113:25, 114:5, 114:7, 114:14 applications 25:15, 30:15 apply 64:24 applying 72:21 appreciate 22:13, 75:12, 114:2, 114:6, 115:20 approach 15:15, 22:17, 32:1, 37:18, 90:22, 105:16 approached 94:6 appropriate 13:13, 26:19, 48:22, 48:24, 49:20, 50:13 approval 25:11, 31:7, 39:22, 64:25, 84:24, 97:12, 97:18, 113:2, 114:14 approve 26:11, 65:1,</p>	<p>113:9 approved 16:16, 24:25, 29:18, 58:2, 71:20, 84:17, 84:19, 114:21 approximate 39:16 approximately 32:18, 34:8, 63:7, 64:8, 96:15 april 25:24 architects 77:5 architectural 5:20, 15:22, 15:25, 16:12, 22:23, 78:20 architecture 28:24, 66:11, 77:17, 84:16, 84:18 area 11:7, 24:12, 31:10, 31:11, 32:7, 32:12, 32:16, 32:17, 33:12, 33:19, 35:21, 36:1, 36:6, 36:19, 38:3, 38:4, 40:20, 41:10, 42:4, 45:25, 46:15, 49:20, 50:18, 50:19, 51:12, 53:9, 53:14, 53:17, 53:20, 54:25, 58:16, 58:24, 59:16, 59:21, 59:22, 60:1, 60:4, 63:6, 65:24, 66:21, 67:1, 68:8, 69:8, 71:3, 72:2, 80:16,</p>
--	---	---	---

80:20, 82:22, 96:24, 101:5, 101:13, 101:20, 102:10, 102:12, 102:16, 103:2, 103:5, 104:2, 105:22, 107:17, 113:13, 113:20 areas 62:15, 68:6, 68:10, 77:11, 80:4, 94:22, 94:23 argument 10:6, 10:7 around 32:9, 32:16, 42:13, 51:6, 54:21, 67:6, 104:15 arrive 114:4 arrived 114:1 article 9:14 asked 9:1, 20:6, 54:3, 64:21, 93:1, 114:8, 114:18 asks 46:22, 49:21 assist 75:4 associated 12:7, 31:2, 45:7, 82:4, 90:13, 115:3 assume 19:14 assuming 16:10, 59:7, 98:19 attachment 21:15 attention 25:4	attractive 66:11, 66:15 audio 117:8, 118:4 auspices 101:8 authorization 5:7 availability 92:7 available 13:8, 13:9, 79:22 ave 76:12 avenue 2:7, 3:8, 7:10, 32:5 award-winning 77:6 <hr/> B <hr/> bachelor's 87:9 back 9:3, 14:2, 54:11, 94:19, 105:6, 109:8, 109:25 back-to-back 38:11, 45:24, 50:5, 83:9 background 28:7, 76:15, 77:15, 77:19, 86:21 backs 54:18 bake 30:11 balance 46:24 balancing 67:9 bars 37:23, 37:24, 37:25, 60:3 base 80:17	based 14:13, 39:15, 43:11, 44:10, 49:24, 62:9 basic 50:15 basically 34:17, 37:20, 42:11 bathrooms 84:10 beautiful 77:13 became 13:10, 78:2 because 12:10, 12:25, 13:17, 15:13, 20:1, 22:16, 38:18, 38:21, 53:15, 56:23, 60:7, 61:15, 83:2, 91:21, 103:8, 103:16, 103:21, 105:25, 106:1, 114:17 become 78:9, 80:15 becoming 79:22 bedroom 84:7, 84:8 bedrooms 82:20, 84:10 been 12:20, 14:8, 15:6, 15:16, 16:1, 22:3, 23:10, 27:9, 28:3, 28:5, 29:19, 29:20, 30:16, 39:19, 40:7, 56:2, 76:2, 76:22, 83:8, 85:24, 86:12, 88:4, 92:21, 99:7, 104:16, 109:15,	116:4, 116:8 before 1:10, 2:19, 8:4, 12:20, 27:10, 29:23, 30:24, 65:17, 87:23, 88:3, 88:6, 88:15, 88:19, 88:22, 89:19, 94:18, 96:8, 99:19, 100:2, 100:6, 100:15, 100:19, 101:19, 102:14, 102:17, 117:2 beg 44:13 beginning 110:24 behalf 3:3, 10:20, 75:16 behind 48:15 being 8:23, 24:17, 27:15, 40:25, 43:8, 58:2, 62:4, 63:21, 74:16, 79:9, 80:14, 93:23, 107:20 belief 13:8 believe 9:23, 39:12, 50:9, 66:25, 69:5, 72:2, 96:4, 107:7, 110:6, 112:5, 113:4 bend 95:17 benefit 27:14, 80:7, 81:5 benefits 107:12
--	---	--	---

<p>best 14:21, 14:22, 117:9, 118:6</p> <p>bethesda 3:9, 10:16</p> <p>better 13:24, 14:18, 19:19, 20:22, 107:24</p> <p>between 22:8, 34:8, 41:15, 42:21, 49:3, 52:1, 61:18, 82:8, 84:8, 95:12, 107:18</p> <p>beyond 19:20, 20:13, 46:15, 79:13</p> <p>biase 3:6, 4:11, 4:17, 10:17, 75:3, 75:14, 76:5, 81:14, 81:23, 82:23, 85:14, 98:24, 99:1, 99:10, 99:17, 100:8, 100:12, 106:5, 108:16, 109:8, 115:9, 115:12</p> <p>bicycle 62:16, 63:2, 63:16, 63:17, 63:24</p> <p>bicyclists 101:10, 103:11, 105:2, 107:17, 107:25</p> <p>big 40:16, 55:6</p> <p>binding 8:20, 32:8, 39:19, 39:21, 40:6, 40:7, 46:18, 57:2, 57:6, 57:8, 57:16, 84:25,</p>	<p>85:3, 85:5, 98:2, 108:10, 108:19</p> <p>bio 95:6, 95:9</p> <p>bit 12:24, 20:13, 37:8, 40:11, 40:13, 68:25, 81:1, 83:7, 95:11, 105:20</p> <p>bite 45:2</p> <p>block 38:19, 47:18, 51:1, 51:5, 56:8, 62:12, 72:3</p> <p>blocks 35:19, 35:23, 35:25, 37:21, 37:22, 38:6, 38:7, 47:19, 50:23, 50:24, 51:2, 56:10, 72:3</p> <p>blue 83:11, 83:20, 84:3, 96:4</p> <p>board 5:22, 13:19, 25:9, 25:12, 26:1, 30:2, 40:9, 43:19, 44:2, 57:3, 74:6, 84:20, 88:8, 88:19, 98:3, 102:18, 111:19, 111:21, 111:23, 114:20</p> <p>board's 25:18, 72:10, 106:21, 108:9, 113:1</p> <p>boards 88:7</p> <p>body 99:19</p>	<p>bollards 61:4, 61:9</p> <p>bookend 56:6</p> <p>bookends 40:2, 55:7, 56:10</p> <p>boring 44:14</p> <p>both 16:20, 30:6, 60:23, 77:13, 81:13, 82:5, 82:13, 82:19, 83:23, 84:2, 84:13, 90:9, 95:7, 100:1, 101:9, 105:1</p> <p>bottom 105:12</p> <p>boulevard 29:9, 87:19</p> <p>boundaries 35:6</p> <p>bounded 24:15</p> <p>box 97:7</p> <p>branch 24:15, 32:6, 32:8, 33:10, 33:14, 34:2, 34:19, 34:22, 34:24, 38:17, 38:25, 39:2, 40:3, 48:9, 48:10, 51:8, 55:7, 56:18, 56:20, 57:14, 59:12, 60:5, 69:9, 91:7, 102:8, 107:23</p> <p>break 38:6, 98:20</p> <p>breaks 47:18</p> <p>brewer 3:7, 10:15,</p>	<p>75:15</p> <p>brief 76:14, 77:14, 112:18</p> <p>briefly 37:13, 37:16</p> <p>brings 85:7</p> <p>broadly 65:25</p> <p>brown 37:24</p> <p>brt 33:25, 69:16</p> <p>build 39:14, 52:9</p> <p>builder 76:19</p> <p>builders 78:3, 80:16</p> <p>building 2:8, 33:4, 33:8, 33:11, 34:13, 48:16, 48:17, 49:22, 52:7, 53:10, 54:22, 92:13, 94:10</p> <p>buildings 34:8, 34:10, 38:8, 48:11, 48:13, 53:4, 56:7, 56:13, 71:25, 93:21</p> <p>built 53:9, 94:1, 94:9, 94:10</p> <p>bulk 52:11, 60:11</p> <p>burden 12:1</p> <p>bus 33:24, 34:1, 57:20, 69:14, 108:2</p> <p>busiest 104:22</p> <p>business 9:6, 9:20,</p>
--	--	--	---

27:18, 29:7, 75:19, 76:7, 87:18, 112:1, 115:25, 116:7 busses 34:3	10:19, 12:5, 12:14, 15:12, 23:22, 61:19, 61:20, 88:14, 88:17, 99:22, 103:7, 103:16, 104:3, 104:12, 114:3, 115:3, 117:12, 118:9 cases 100:2, 100:15, 102:14, 102:17 catch-up 19:10, 22:23 caters 80:18 caused 54:6 caveat 17:5 center 34:13 centers 55:18, 77:11, 77:12 central 47:20, 56:15, 67:24, 85:4 centro 76:25 century 29:9, 87:19 certain 69:7, 95:24 certainly 18:18, 20:21, 96:18, 109:2, 114:6 certificate 117:1, 118:1 certified 5:11, 29:4 certify 117:4, 118:2 change 21:2, 64:24, 103:17, 104:20 changes 7:16	changing 49:1, 53:12, 66:23, 78:23 chapter 9:15 character 35:14, 35:16, 36:11, 36:13, 53:1, 73:1 characteristics 31:23 check 7:12, 20:14, 97:7 children 62:17 chocolate 37:25 circulate 47:21, 48:17 circulation 6:5, 17:21, 31:14, 47:12, 47:21, 68:24, 90:20, 91:17, 101:9 cite 88:14 cited 115:3 city 30:5, 30:6, 30:10, 88:9 civil 11:1, 74:20, 86:9, 86:12, 87:3, 87:7, 89:22, 90:1 clarification 74:15, 100:6, 110:17 clarify 109:18 clarifying 104:10 classification 36:21, 36:25, 109:3	classified 58:5, 73:4 clean 14:22 cleaned 96:8 cleanup 14:5, 14:13, 15:24, 19:5, 23:14 clear 13:10, 21:22, 23:16, 53:20, 82:18 clearing 61:15 clearly 66:18, 113:23 close 10:1, 14:4, 25:17, 113:21, 116:1, 116:23 closed 114:10, 116:16 closely 25:7, 39:22 closes 9:21, 22:9 closets 84:10 closing 4:19, 9:18, 22:16, 110:17, 110:20, 110:22, 112:17, 116:19 cocounsel 10:17 code 9:16, 29:11, 38:23, 64:18, 68:20, 73:20 codified 101:3, 101:5 collaborated 77:5 colleague 10:17, 75:3, 85:16, 98:24,
27:18, 29:7, 75:19, 76:7, 87:18, 112:1, 115:25, 116:7 busses 34:3	10:19, 12:5, 12:14, 15:12, 23:22, 61:19, 61:20, 88:14, 88:17, 99:22, 103:7, 103:16, 104:3, 104:12, 114:3, 115:3, 117:12, 118:9 cases 100:2, 100:15, 102:14, 102:17 catch-up 19:10, 22:23 caters 80:18 caused 54:6 caveat 17:5 center 34:13 centers 55:18, 77:11, 77:12 central 47:20, 56:15, 67:24, 85:4 centro 76:25 century 29:9, 87:19 certain 69:7, 95:24 certainly 18:18, 20:21, 96:18, 109:2, 114:6 certificate 117:1, 118:1 certified 5:11, 29:4 certify 117:4, 118:2 change 21:2, 64:24, 103:17, 104:20 changes 7:16	changing 49:1, 53:12, 66:23, 78:23 chapter 9:15 character 35:14, 35:16, 36:11, 36:13, 53:1, 73:1 characteristics 31:23 check 7:12, 20:14, 97:7 children 62:17 chocolate 37:25 circulate 47:21, 48:17 circulation 6:5, 17:21, 31:14, 47:12, 47:21, 68:24, 90:20, 91:17, 101:9 cite 88:14 cited 115:3 city 30:5, 30:6, 30:10, 88:9 civil 11:1, 74:20, 86:9, 86:12, 87:3, 87:7, 89:22, 90:1 clarification 74:15, 100:6, 110:17 clarify 109:18 clarifying 104:10 classification 36:21, 36:25, 109:3	classified 58:5, 73:4 clean 14:22 cleaned 96:8 cleanup 14:5, 14:13, 15:24, 19:5, 23:14 clear 13:10, 21:22, 23:16, 53:20, 82:18 clearing 61:15 clearly 66:18, 113:23 close 10:1, 14:4, 25:17, 113:21, 116:1, 116:23 closed 114:10, 116:16 closely 25:7, 39:22 closes 9:21, 22:9 closets 84:10 closing 4:19, 9:18, 22:16, 110:17, 110:20, 110:22, 112:17, 116:19 cocounsel 10:17 code 9:16, 29:11, 38:23, 64:18, 68:20, 73:20 codified 101:3, 101:5 collaborated 77:5 colleague 10:17, 75:3, 85:16, 98:24,

109:9 collection 111:18 color 59:24 colorblind 95:11 colored 94:21 colors 95:12 combination 84:9 come 25:15, 102:14 comfort 22:11 comfortable 21:20, 21:22, 23:24, 27:12, 93:6 coming 9:24, 74:18, 95:3, 107:13 comment 11:8, 45:15, 55:15, 57:2, 57:6, 63:1, 69:22, 70:22, 71:21, 91:16, 93:2, 93:18 commented 65:17, 67:18 commercial 8:12, 30:13, 37:3, 55:16, 66:20, 67:1, 79:5, 87:6 commission 43:19, 92:19 commitment 85:5, 113:16 committed 97:5 committee 25:24, 25:25, 26:3 common 59:3, 59:13,	60:2, 60:11, 63:23, 67:22, 68:5, 68:19, 82:13, 83:24 communicating 20:19 communication 23:23, 92:11, 92:24 communities 36:15, 45:13, 55:18, 66:3, 70:2, 76:20, 77:3, 77:7, 77:12, 78:11, 78:16, 80:5 community 24:22, 56:4, 76:18, 81:12, 82:12, 83:13, 85:7, 85:10 community-centric 78:21 compact 35:25, 37:21, 38:7, 45:12, 56:10, 66:2, 70:1 companion 15:18, 19:1 company 30:12, 78:1 compare 104:4 compared 105:2 compares 104:13 compatibility 52:4, 53:1 compatible 25:5, 26:20, 42:16, 42:24, 52:1, 52:11, 52:12, 52:20, 55:22, 56:5, 58:14, 65:19, 71:19, 72:1,	107:8 complete 45:13, 66:2, 69:8, 70:2 completeness 17:13 completion 103:15 compliance 55:10, 64:22 compliant 107:4 complies 66:6, 103:24 comply 70:20 components 24:10 comport 51:18 comporting 42:11 comports 40:12 composite 5:17, 6:10, 17:24 comprehensive 45:4, 45:5, 49:3 comprise 17:9 concentration 42:12 concept 6:6, 17:22, 22:4, 23:3, 38:14, 86:25, 93:3, 93:19, 97:12 concepts 37:16 conceptual 62:17 concerned 23:7 concerns 35:22, 67:18	concludes 115:15 conclusion 43:21 conclusions 106:15 conditions 6:12, 18:1, 31:18, 34:6 condo 83:3 condominium 81:21, 82:3 condominiums 25:3, 38:1, 38:11, 45:24, 78:16, 81:13, 94:25, 113:15 condos 42:20, 50:8, 59:4, 60:1, 63:19, 63:20, 82:8, 95:15 conducted 8:23 configuration 52:21 confirm 108:19, 109:25 confirmed 110:8 conflict 107:18 conform 65:10 conformance 43:13, 43:22, 65:16, 97:21 conforms 26:16, 43:16, 66:22, 67:12 connected 47:14, 91:9 connection 39:8, 44:20, 62:12, 65:2, 73:12, 91:13, 100:14, 101:17
---	---	---	---

connectivity 40:14, 40:18, 40:19 conservation 114:19, 114:22, 114:24 considerable 67:11 consideration 71:6 consistent 108:6, 113:10 consists 102:1 consolidated 60:12, 102:6 consolidating 68:11 consolidation 107:15 constitute 44:1 constitutes 24:13 construction 8:19, 87:1 consultant 11:4, 30:13, 92:23 consulting 3:17, 11:2 contact 7:9, 10:22 contained 43:15, 55:12, 113:8 context 65:14 continue 28:17, 96:13 continued 6:2 continuous 107:21 conversation 44:15, 114:12 conversations 24:24	converted 79:19 conveying 51:13 coordinated 42:15 coordinates 64:22, 66:20 coordination 92:18 copies 14:7, 17:14, 17:15, 18:4, 18:9, 22:7, 112:13, 116:8 copy 16:5, 16:20, 16:25, 18:15, 22:6, 22:8, 116:11 corner 35:1, 60:17 corners 40:2 correct 15:23, 16:15, 16:23, 18:7, 18:13, 18:16, 24:5, 33:7, 37:2, 52:17, 53:22, 54:1, 55:3, 55:8, 57:7, 59:20, 62:24, 63:5, 64:5, 72:20, 74:20, 86:10, 86:11, 97:9, 108:22, 109:20, 109:24, 111:17, 112:7, 112:11, 112:15, 115:2 corresponding 16:25 could 17:2, 27:4, 27:19, 28:20, 31:16, 32:15, 57:2, 64:11,	68:1, 74:2, 83:17, 85:20, 88:14, 90:11, 91:12, 105:6, 105:20, 111:12, 111:24, 115:10 couldn't 54:19 council 9:13, 10:4, 10:5, 26:10, 30:6, 30:10, 65:1, 73:8, 79:10, 116:21 councils 30:5 counsel 10:9, 10:12, 13:3, 28:1, 76:4, 86:1, 99:9, 117:11, 118:7 count 9:22 county 1:2, 2:5, 2:8, 9:16, 25:9, 29:24, 44:6, 49:13, 56:4, 65:12, 65:16, 66:1, 67:13, 67:16, 68:22, 78:17, 79:21, 80:2, 83:4, 84:15, 84:19, 87:8, 87:24, 88:7, 88:8, 93:8, 94:3, 97:22, 103:20, 104:1, 104:2, 113:12 county's 45:11, 101:2, 102:9, 103:7, 105:17 couple 14:12, 19:5, 19:8, 39:9,	50:22, 51:18, 107:12 course 12:8, 12:16, 13:1, 69:17, 77:4, 98:19 court 5:2, 11:15, 27:16, 116:2, 117:1 covenants 6:16, 18:3 cover 87:17 covered 109:15 cr 54:7, 54:12, 55:12, 55:24, 70:20, 71:2 crabbs 24:15, 32:6, 32:7, 33:9, 33:14, 34:2, 34:19, 34:22, 34:24, 38:17, 38:25, 39:2, 40:3, 48:9, 48:10, 51:7, 55:7, 56:18, 56:19, 57:14, 59:12, 60:5, 69:9, 91:6, 102:8, 107:23 create 24:25, 39:25, 40:3, 54:23, 56:10, 77:5, 77:6, 80:4, 82:14, 85:6 creating 67:5, 68:12, 71:11, 71:12, 72:3, 78:10, 82:11 creation 68:15, 68:16 credentials 12:19
--	---	--	---

criteria 9:13, 45:6, 46:22, 47:10, 49:21, 50:12, 51:24, 54:2, 65:5, 65:6 critical 20:22, 57:16, 72:8, 106:19 crn 49:5, 58:8 crnf 8:13, 26:13, 37:2, 37:10, 44:7, 57:24, 58:21, 61:24 cross 33:11 cross-examination 11:22 crossed 15:21 crossing 60:14 crosswalk 57:19, 57:21 crucial 46:5, 70:11 cu 99:25 current 8:10, 9:22, 17:7, 29:6, 29:8, 29:12, 32:23, 46:18, 79:14, 94:11 currently 34:7, 35:3, 36:23, 58:5, 73:4, 84:22, 86:17, 92:10, 101:24, 111:18 <hr/> D <hr/> d-r-i-b-a-n 99:14 dash 37:4	date 9:20, 9:25, 116:19, 116:22 day 9:24 days 9:17, 9:20, 9:22, 10:3, 22:14, 112:1, 115:25, 116:7, 116:22 dc 1:7, 7:8, 10:19, 10:20, 76:11, 76:21, 77:22, 78:8, 78:12 dealt 109:20 decades 78:8 december 25:12 decision 115:21 declaration 6:15, 18:2 decrease 96:19, 96:21, 104:20, 104:23, 105:25, 106:2 decreasing 67:8 dedications 24:13, 32:12 deep 78:9 deerwood 56:4, 85:9 defaulting 7:25 definition 38:22 degree 77:16 delay 98:16 delineation 35:10	deliver 14:10, 77:8 delivered 78:14 demand 45:20, 56:3, 62:8, 67:7, 67:8, 70:8, 79:16, 79:24, 80:14, 80:19, 80:24 demographic 49:2 demonstrate 26:8, 26:11, 48:23, 51:25, 64:21, 106:23 demonstrated 47:8, 113:5 demonstrating 8:3 densities 49:23 density 52:3, 55:19 department 5:27, 17:20, 41:6, 61:2, 61:8, 94:4 depending 11:6 depicting 82:7 derwood 24:17 describe 24:11, 28:6, 31:4, 31:22, 32:14, 34:5, 35:14, 37:16, 37:22, 41:14, 44:23, 45:13, 50:14, 55:23, 61:23, 66:6, 72:11, 73:24, 74:3, 81:9, 81:18, 81:25, 82:4, 82:25, 86:20, 90:19, 100:22, 101:23 described 21:20, 21:22, 35:15, 39:10, 56:1, 91:14, 91:15 describes 21:12 describing 39:6 description 5:13, 21:10, 76:15, 77:15 design 6:13, 16:3, 18:1, 25:5, 28:24, 29:14, 30:4, 40:20, 47:11, 50:19, 54:4, 54:19, 54:25, 56:7, 65:24, 68:21, 78:13, 78:23, 81:16, 82:4, 84:16, 84:18, 102:3 designation 32:23 designations 28:8, 29:1, 86:22 designed 56:3, 61:6 designing 53:17 designs 77:6, 81:22, 93:6 desire 42:7, 42:9 desired 113:23 detached 72:23, 73:5 detail 45:14, 59:1, 95:22, 105:19
--	--	--

details 5:17, 109:19, 110:13 determine 94:4 determined 49:23 detrimental 73:16 developed 54:24 developer 80:13 developers 30:14, 79:21, 80:2 developing 78:6 development 7:9, 26:2, 26:12, 26:15, 26:19, 28:23, 30:12, 34:12, 36:10, 36:12, 37:17, 43:13, 44:4, 47:12, 48:13, 50:15, 51:5, 51:9, 51:14, 52:2, 52:25, 53:9, 54:17, 55:17, 55:21, 55:22, 56:14, 56:16, 58:7, 58:10, 58:13, 58:14, 58:16, 62:25, 63:1, 71:20, 73:14, 76:17, 77:20, 77:24, 79:18, 79:22, 84:14, 86:19, 86:24, 87:3, 90:20, 92:5, 94:2 developments 30:10 diagonal 40:24	diego 30:6 differences 95:12 different 16:4, 60:10, 87:2, 90:24, 95:8 digital 117:8, 118:3 diligently 40:17 dimensions 71:25 dining 84:4 direct 28:1, 39:7, 76:4, 86:1, 99:9, 109:4 directed 115:17 directly 32:25, 33:3, 34:2, 34:25, 38:8, 38:12, 40:24, 42:11, 46:6, 51:4, 52:6, 54:23, 57:9 discharged 96:9 disclosure 5:9 discuss 36:5, 46:2, 47:11, 71:4, 74:21 discussed 25:14, 40:7, 62:22, 70:25, 71:24, 73:21 discussing 35:20, 62:13, 104:17 discussion 55:6, 67:14, 68:24, 115:16	discussions 25:21, 60:6 dispense 12:21, 15:12, 88:15, 88:22, 100:7 displaying 95:24 disregarded 11:23 distance 110:3 distinctive 66:11 district 9:12, 10:4, 10:5, 26:10, 49:3, 65:1, 116:21 diverse 49:24 division 78:9 document 106:9 documentation 31:7, 114:20 documents 20:16, 24:3, 31:3 doing 42:6, 51:1, 53:13, 66:12, 68:7 dominated 92:1 done 38:10, 51:3, 68:23, 98:12, 110:24, 112:19 door 83:24 doors 38:13, 53:5, 82:13, 83:22 doorsteps 56:13 dot 5:18	dots 95:5 doubling 60:23 down 38:6, 39:25, 41:19, 42:18, 47:18, 54:9, 55:9, 56:9, 105:20, 110:13 draft 6:15, 18:2 drain 94:19, 95:2 drainage 95:23 draining 96:11 driban 3:17, 4:16, 11:2, 99:2, 99:6, 99:13, 99:17, 100:9, 106:6, 108:16 drive 24:16, 34:23 driving 48:9, 56:11 drop 34:24, 57:14 drops 34:24 dry 92:22 due 107:2, 116:21 duly 76:2, 85:24, 99:7 during 26:3, 54:8, 57:12, 59:8, 63:21, 64:9, 104:21, 104:24, 116:6 dwelling 8:19, 46:8, 63:9, 63:10,
---	--	---	--

85:4, 113:17	electric 92:11, 92:23	encouraging 49:20, 70:6	enter 83:23, 101:24
E	electronic 17:15, 112:13,	end 9:10, 9:19,	enthusiastic 26:4
e-s-p-o-s-i-t-o	116:13	14:6, 40:4,	entire 111:14
76:10	electronically 15:17, 16:20	80:6, 113:13	entitlement 12:2, 29:17,
each	element 39:20, 39:21,	ends 22:9, 84:13	84:15, 87:3
40:4, 83:20	40:22, 41:8,	engaged 25:21	entitlements 10:23, 29:16,
earlier	41:9, 46:18,	engaging 82:14	76:11, 76:23
95:19, 102:5,	57:3, 57:6,	engineer 11:1, 11:3,	entrance 48:18, 91:11,
107:11, 114:18	57:17, 71:14,	74:21, 86:9,	91:12
early	108:20	86:13, 86:15,	entrances 47:19, 90:25,
3:7, 10:15,	elements 5:20, 8:20,	87:7, 87:12,	91:8
75:15	15:25, 16:12,	89:22, 98:25,	entry 47:17, 91:23
ease	22:23, 40:6,	99:15	environment 66:10
20:25	40:7, 57:8,	engineering 77:17, 87:4,	environmental 21:13, 46:5,
easier	60:10, 62:7,	89:24, 90:1,	49:16, 50:17,
23:21, 115:22	62:16, 85:1,	90:3, 99:16,	70:12, 71:4,
easily	85:3, 85:6,	99:19, 100:10	71:8, 71:9,
52:9	98:2, 108:10	engineers 19:19, 20:10,	71:14, 90:10
east	else 74:10, 85:11,	77:6	envision 80:20
33:6, 33:7	98:5, 108:13	enhance 36:15, 78:22,	envisioned 40:14
economic	emergency 60:24, 61:17	107:16	envisioning 81:4
49:2	emphasize 40:1	enhanced 69:11	envisions 66:8
edge	emphasizes 78:20	enhances 72:2	especially 49:10, 69:4
96:3	employed 28:4, 28:5,	enhancing 53:7, 53:14,	esposito 3:14, 4:10,
edification	86:12, 117:11,	53:19	7:9, 10:21,
22:11	118:8	enjoy 80:2	75:17, 75:18,
edit	employer 29:6, 29:8	enough 55:19	75:22, 76:1,
19:21, 20:15	employer's 29:7	ensure 24:25, 46:23,	76:9, 76:10,
editable	employment 66:20, 67:1,	46:24, 77:12	81:18, 82:25,
20:7	67:5, 67:6, 67:7	ensures 50:14	85:14
educational	en 14:10	ensuring 50:12	esquire 3:5, 3:6
28:7, 77:15,	encourage 45:19, 48:21		
86:21	encourages 48:24, 50:13		
effect			
40:4			
effectively			
20:19			
efficient			
71:16, 103:1			
efforts			
113:5			
eight			
57:13, 76:16			
eisenhower			
78:18			
either			
58:4			

<p>esra 3:16 essentially 24:21, 38:7, 95:8 established 51:23, 52:24, 54:3, 77:25 establishes 52:1 establishing 52:23 estate 76:17 evaluate 44:19, 65:5 evaluated 44:21, 84:16, 84:19, 92:7, 105:21 evaluates 103:9 evaluating 62:14, 63:22, 100:25 evaluation 103:15, 109:13 even 25:14, 64:3, 66:12 event 75:2 ever 29:23, 87:23, 88:2 everyone 8:4, 9:2, 9:7 everyone's 115:19 everything 8:4, 69:11, 111:1 evidence 9:9, 9:10 evolving 49:24, 53:12 exactly 12:25, 50:6,</p>	<p>50:7 examination 28:1, 76:4, 86:1, 99:9 examined 27:25, 76:3, 85:25, 99:8 examiner's 13:9, 21:5, 114:6, 116:20 example 22:22, 30:6, 30:8, 32:10, 32:13, 33:12, 33:24, 35:1, 35:18, 38:15, 45:23, 49:6, 49:8, 49:15, 50:4, 50:22, 52:9, 54:10, 59:4, 60:13, 62:12, 62:16, 63:13, 65:25, 69:11, 71:11, 72:5, 78:18, 83:13, 94:20, 95:14 examples 51:18 exceed 72:8, 106:19 exceeding 46:11 exceeds 106:22 excellence 77:24 excellent 10:13, 13:4, 88:24, 113:19, 116:17 exception 18:5, 116:14 exceptional 77:9 exclude 9:23 excuse 39:1, 42:2</p>	<p>execution 77:10 executive 86:7, 87:21 exemption 103:23, 104:13, 106:4, 106:13 exhibit 6:3, 14:23, 15:13, 15:18, 15:25, 16:3, 16:4, 16:14, 17:17, 17:18, 17:19, 17:20, 17:21, 18:22, 20:2, 20:4, 21:7, 21:8, 21:16, 21:19, 22:5, 25:19, 30:17, 31:17, 37:14, 40:6, 43:25, 59:19, 62:3, 62:4, 72:21, 73:24, 81:15, 81:19, 81:20, 82:2, 89:4, 89:5, 90:11, 90:14, 90:21, 93:11, 104:8, 104:12, 105:10, 105:11, 105:16, 105:17, 106:7, 106:8, 107:1, 111:11, 111:21, 112:14, 116:3, 116:9, 116:11, 116:14 exhibits 5:4, 6:2, 8:21, 13:6, 13:11, 13:13, 14:8, 15:1, 15:16, 15:19, 16:17, 16:19, 16:21, 19:6, 19:9, 22:2, 110:22, 116:3, 116:5, 116:15</p>	<p>existing 6:12, 17:25, 31:17, 34:6, 46:25, 47:4, 52:2, 66:22, 71:19, 80:3, 93:20, 93:22, 104:4, 104:14 exit 101:24 expectation 94:7, 94:12 experience 28:23, 76:16, 77:21, 78:5, 86:24, 87:7 expert 27:10, 27:12, 29:23, 30:18, 87:23, 88:2, 88:25, 89:6, 99:18, 100:9, 100:14, 102:4 expertise 11:8, 20:14, 44:12, 78:9, 87:2 experts 13:1 explain 19:19 explained 60:21 expressed 92:20 extensive 25:21, 112:19 extensively 77:5, 109:15 extent 35:13, 70:23, 71:21, 87:15 extra 9:20 extremely 25:13, 75:11 eyes 51:15, 51:16</p>
---	---	--	--

eyes-on-the-street 38:14	families 80:19, 81:4, 82:21, 85:9	96:7	82:20
F	family 87:5	final 21:7, 84:21	fits 14:20, 14:21, 69:18, 80:1, 113:20
faced 38:11	far 12:16, 36:24, 37:5, 37:6, 39:15, 52:13, 54:11	financial 5:9, 117:13, 118:10	five 69:16
facilities 26:14, 36:7, 47:3, 47:7, 49:17, 62:11, 66:24, 70:3, 73:13, 73:15, 73:17, 94:9, 94:16, 94:22, 94:25, 96:16, 96:20, 101:2	favorable 79:20, 80:17, 83:7	finding 72:24, 73:2, 73:3, 104:19, 106:17, 107:5	flexibility 47:11, 54:5, 54:8, 54:13, 55:20, 58:10
facility 40:1, 49:11, 49:14, 61:24, 62:2, 107:24	favorably 82:10	findings 26:10, 65:2, 65:9, 73:9, 74:4, 74:7, 75:6, 97:24, 101:16, 108:5, 108:8, 113:7	flexible 49:1, 55:19
facing 38:9, 38:13, 56:7	feature 61:13	fine 23:8, 98:15, 98:20, 104:11	flipped 54:20, 54:21
fact 13:16, 13:20, 68:20, 72:15	february 1:12, 9:25, 116:1, 118:15	finer 55:9	flipping 111:1
factual 12:5, 12:22, 13:2	feel 20:22, 27:11, 80:24, 83:6, 91:25	fire 5:27, 17:19, 41:5, 60:24, 61:2, 61:8, 61:17, 61:18, 91:15, 91:18, 91:20, 91:22, 91:23	floating 6:17, 8:12, 17:5, 17:9, 37:4, 37:15, 44:18, 44:21, 45:4, 47:23, 48:20, 49:5, 49:15, 51:20, 51:21, 54:7, 54:12, 55:12, 55:17, 58:1, 58:8, 58:9, 59:6, 62:18, 64:17, 64:24, 65:10, 65:15, 70:14, 70:19, 70:20, 71:2, 71:19, 72:7, 72:22, 72:25, 73:7, 73:12, 73:19, 90:12, 90:15, 97:17, 106:18, 109:22, 111:3
failed 68:5	feet 32:5, 32:20, 33:2, 34:21, 42:19, 42:22, 52:7, 52:8, 52:9, 52:10, 91:22, 104:5, 104:15, 110:4	fires 61:5	floor 83:11, 83:14, 83:16, 83:18, 83:22
fair 68:23, 69:19	few 62:14	firm 10:15, 10:18, 75:15, 90:6, 101:15	floors 84:6
fairly 11:14, 66:18	fewer 107:18	first 7:24, 12:1, 13:16, 14:23, 27:3, 27:21, 76:2, 79:9, 80:14, 81:19, 83:10, 83:17, 83:18, 85:24, 99:7	flurry 13:6, 14:1
familiar 30:23, 31:1, 31:11, 31:13, 35:5, 44:5, 78:24, 82:11, 83:8, 84:25, 85:2, 89:18, 89:21, 100:18, 101:12, 102:9, 108:9	figuring 57:12	fit 39:13, 39:17,	
familiarity 44:11	file 10:4, 17:7		
	fill 87:5		
	filling 42:8		
	filtration 94:18, 96:6,		

focus 78:12, 101:20 focused 99:15, 103:10 follow 16:19, 17:14, 20:10, 20:11 following 15:18, 18:17, 114:9, 114:12 follows 27:25, 76:3, 85:25, 99:8 foot 34:24, 52:10, 57:14 forecasted 79:12 foregoing 117:3, 117:4, 118:4 forest 114:19, 114:21, 114:23 forget 110:2 forgot 47:23, 48:6, 57:18, 71:10 form 11:17, 54:17 formal 11:15, 40:25 formally 84:17, 84:18 format 8:24, 14:20 formerly 77:23 forth 9:13, 14:2, 30:15, 44:17, 44:25, 65:3, 109:25, 112:23, 113:2 forward 23:16, 25:15, 57:1	found 51:22, 54:6, 108:7 four 17:8, 18:12, 18:20, 26:23, 33:1, 34:8, 78:8, 90:13, 91:21, 102:2, 106:9, 111:15, 111:16, 112:14, 116:13 four-level 42:20 four-page 18:19 four-story 63:13 fourth 83:18 frame 51:14, 51:15 framed 51:14 frames 51:9 framework 69:18 free 12:14, 12:16, 82:17 friendly 61:7 front 30:1, 34:2, 38:12, 38:13, 53:5, 82:13, 82:14, 83:10, 83:22, 83:24, 83:25, 88:9, 91:23 frontage 53:5 frontages 48:13, 69:3 fronts 48:10, 54:22, 56:13	fsd 5:14 fulfill 68:17 fulfilling 42:7 full 22:1, 22:6, 22:7, 23:4, 23:7, 27:5, 29:7, 75:19, 76:6, 76:7, 86:4, 87:18, 99:11, 103:5, 103:15, 103:22, 105:24, 111:9, 111:12, 111:18, 112:1, 112:6, 112:10, 116:10 full-size 116:11 fully 117:5 functional 45:10, 47:2, 77:7, 78:21 further 33:14, 33:23, 35:24, 39:5, 41:19, 41:24, 45:8, 45:14, 46:2, 52:12, 52:18, 56:19, 70:14, 74:13, 80:22, 81:1, 85:15, 88:16, 88:23, 97:2, 98:7, 100:7, 108:17, 109:11 furtherers 45:11 future 25:16, 33:24, 56:22, 66:9, 69:16 fzp 40:10 fzp-1 17:10	fzp-2 17:8, 17:10, 17:11, 18:21, 37:15, 40:6, 90:21, 111:21, 112:9 fzp-3 17:10 fzp-4 17:10 <hr/> G <hr/> g-i-o-v-a-n-n-i 76:9 g-o-o-d-m-a-n 86:7 gaithersburg 88:10 gap 80:25 garage 48:6, 54:20 garages 48:11, 54:18 gas 92:8, 92:13, 92:14, 92:24 gateway 40:4 gathered 7:5 gears 44:3 general 31:23, 35:20, 36:5, 41:9, 45:9, 45:17, 46:7, 47:1, 50:10, 52:25, 65:12, 69:21, 97:22 generally 81:9, 101:23, 109:3 generate 72:7, 103:17, 103:18, 106:18 generated 59:25, 60:2,
---	---	--	---

<p>67:23 generates 103:13, 103:21 generation 104:1, 104:14, 104:15 gentlemen 7:5 germantown 29:10, 87:20 getting 14:3, 29:16, 29:18, 62:20 gio 7:9 giovanni 3:14, 4:10, 10:21, 75:17, 76:1, 76:9 gip 101:4 give 12:13, 12:14, 12:15 go 11:12, 11:18, 12:3, 16:7, 17:3, 20:1, 20:15, 26:24, 27:8, 27:11, 98:21, 98:23, 102:17, 103:4, 105:6, 110:19, 115:10 goal 45:18, 46:15, 58:15, 82:10, 83:2 goals 40:18, 43:14, 43:16, 43:22, 45:9, 45:12, 45:17, 49:7, 51:19, 65:23, 66:16, 80:11, 80:14 goes 12:1, 62:14,</p>	<p>94:19 going 12:25, 14:25, 15:5, 22:24, 23:16, 25:5, 27:8, 27:10, 31:19, 32:10, 37:8, 37:18, 40:25, 44:3, 44:9, 45:1, 48:22, 51:24, 55:11, 55:14, 56:21, 57:23, 58:18, 61:6, 73:22, 75:3, 93:7, 94:8, 94:15, 94:22, 95:24, 96:5, 114:11, 116:9 gold 37:23, 60:3 good 7:4, 19:3, 60:15, 92:1, 110:23, 111:2 goodman 3:15, 4:13, 10:24, 85:18, 85:19, 85:23, 86:3, 86:6, 88:25, 89:6, 89:10, 104:7 goods 113:22 government 79:11 grading 5:26, 17:18, 95:22 granted 30:21, 89:7, 100:11 granularity 55:10 graphic 68:1, 68:3, 68:4 great 36:9, 62:5,</p>	<p>66:16, 81:7 greater 67:8, 103:13, 105:23 green 8:1, 60:1, 60:17, 60:22, 61:16, 61:18, 68:6, 68:10, 68:16, 83:10, 83:21, 84:3, 85:5 green-space 68:15 green-stuff 51:11 greenery 36:1 greenfield 87:5 greenfields 79:21 grove 25:23, 26:17, 33:19, 38:5, 41:24, 42:1, 42:2, 43:4, 43:8, 43:9, 63:7, 65:20, 66:9, 69:17, 69:20, 89:13, 113:11 growing 80:3, 80:18 growth 45:12, 46:6, 66:2, 70:1, 70:12, 101:3 gude 32:5, 41:18 guidance 54:25 guided 104:2 guidelines 40:20, 50:19, 50:21, 51:11, 51:12, 72:10,</p>	<p>101:4, 101:6, 101:21, 101:22, 102:10, 102:16, 102:23, 103:3, 104:3, 105:22, 106:21, 107:5</p> <hr/> <p>H</p> <hr/> <p>h 1:7, 7:7, 8:13, 32:24, 37:6, 100:20 half 29:21, 59:24, 104:25 hand 28:13, 75:24, 85:20, 99:4 handful 79:7, 80:12 handicapped 34:15 handle 14:12 handled 58:8 happened 13:24 happy 22:9, 98:17 hard 14:7, 16:5, 16:25, 17:14, 18:4, 18:9, 18:15, 22:7, 116:7 harding 2:19, 117:2, 117:18 head 110:2 hear 11:7, 11:9 heard 8:4, 102:4 hearings 1:1, 2:6, 29:25, 87:25,</p>
---	---	---	---

100:16 heart 41:1 heater 84:11 height 32:20, 33:2, 37:7, 42:16, 42:17, 42:18, 42:23, 52:5, 52:7, 52:8, 52:11, 52:21, 58:12, 71:24 heights 42:14, 55:19 held 2:1 help 89:23 helped 31:2 helpful 37:14, 75:10, 75:11, 108:19, 109:16, 111:13 here 10:16, 11:22, 12:4, 12:11, 23:20, 24:3, 24:6, 32:8, 32:16, 33:12, 33:18, 33:19, 33:25, 34:4, 34:22, 34:25, 35:1, 35:18, 35:24, 36:1, 36:4, 37:20, 38:2, 38:15, 39:4, 39:23, 39:25, 40:22, 41:6, 41:11, 41:18, 42:2, 42:17, 42:18, 44:5, 45:21, 47:23, 48:7, 49:11, 49:19, 50:21, 51:4, 52:13, 54:13,	54:16, 56:6, 56:8, 56:10, 56:14, 56:17, 57:8, 57:13, 57:15, 57:19, 58:16, 58:23, 59:14, 59:15, 59:17, 59:24, 60:13, 60:17, 61:2, 61:3, 61:4, 61:9, 62:8, 62:9, 62:11, 62:13, 62:16, 66:12, 66:24, 67:3, 68:6, 69:8, 69:15, 73:2, 81:5, 95:24, 104:17, 105:23, 108:6, 111:18, 114:1, 116:8 here's 41:18, 48:8, 48:9 hereby 117:3, 118:2 hesitate 8:15 hidden 48:8 high 32:19, 79:24 high-density 80:4 high-quality 78:10 higher-density 83:6 higher-priced 81:1 highest 34:18, 34:19 highlight 47:24, 48:5 highlighted 39:18, 105:12, 105:21 highlights 105:17	highly 77:13 hold 9:5, 23:9 home 76:19, 77:6, 78:3, 78:12, 80:16 homebuyer 81:3 homes 1:7, 3:14, 7:8, 10:19, 10:20, 33:15, 33:17, 41:20, 50:7, 52:19, 76:11, 76:23, 77:9, 77:12, 77:20, 77:22, 77:23, 78:1, 78:2, 78:5, 78:15, 81:1 honestly 95:11 hope 12:18, 41:18, 61:5, 114:14 hopefully 23:20, 27:11 hoping 8:4 hour 104:22, 104:24 houses 91:21 housing 6:13, 16:3, 18:1, 24:22, 25:5, 37:9, 41:15, 42:1, 42:5, 42:6, 42:9, 42:11, 42:13, 45:11, 45:15, 45:18, 45:20, 45:22, 46:4, 46:16, 49:14, 49:25, 50:1, 56:3,	56:22, 65:25, 66:3, 66:16, 66:17, 67:5, 67:9, 67:12, 67:13, 69:13, 70:3, 70:5, 70:7, 70:10, 77:3, 78:6, 78:14, 79:3, 79:9, 79:11, 79:13, 79:16, 80:4, 80:8, 80:9, 80:13, 80:15, 80:17, 80:23, 81:10, 81:16, 82:5, 85:8, 92:17, 113:13 however 67:1, 93:23 hybrid 7:14, 8:23, 56:24 <hr/> I <hr/> id 5:12 idea 38:2, 54:12 ideas 40:21 identification 10:11 identified 10:22, 14:8, 16:2, 22:3, 22:20, 24:8, 24:19, 35:6, 35:11, 40:6, 79:4, 80:7 identify 10:10 illustrative 6:13, 16:3, 18:1, 81:16, 81:21, 82:3, 83:11 im 8:11, 32:19,
--	--	--	---

32:23, 33:2, 36:23, 58:6, 73:4 image 83:12 imbalance 79:17 immediate 32:17, 36:16 immediately 91:19, 92:12, 94:25 impact 36:10, 46:6, 49:16, 70:12, 72:16, 73:12, 73:16, 103:7, 103:8, 105:24 impacting 71:14 impacts 54:6, 106:24 implement 45:3, 45:5, 49:8, 113:12 implementation 25:24 important 41:2, 41:9, 51:12, 57:11, 69:2, 91:24, 115:23 importantly 46:3, 66:3 improve 36:12 improved 69:4 improvements 30:14, 69:1 improves 49:16 in-fill 79:18, 79:23 inc 1:7, 3:17, 7:8, 10:19, 10:20 include 15:18	included 40:9 includes 32:12, 58:11, 76:24, 77:9, 112:24, 113:14 including 44:6, 50:16, 78:17, 87:4, 88:7, 97:21, 107:23, 113:7 incomplete 18:6 incorporated 11:3 increase 96:19, 96:20, 106:1 increasing 79:20 incurs 72:16 indicated 21:25, 24:6, 25:1, 25:7, 26:24, 29:22, 87:22, 109:21 indicates 17:7, 45:3 individual 64:24 individuals 8:24, 80:19, 81:4, 82:21, 85:8 indulgence 23:15, 44:13, 75:12 industrial 8:11, 32:19, 32:22, 36:23, 41:15, 41:16 informal 11:14 information 7:10, 74:11, 94:5, 98:13, 109:12, 110:18,	112:24 infrastructure 47:1, 101:4 initial 92:18, 93:5, 94:3 innovative 78:12 inquiry 13:11, 21:5 inspection 31:9, 90:6, 90:9, 101:11 instead 103:23 institute 29:4 integrate 47:12 integrating 78:20, 91:25 intended 37:9 intensify 42:1 intent 48:20, 51:20, 51:21, 58:15, 65:23, 66:14, 68:18, 70:19, 71:1, 71:6 intention 95:25 intents 44:17, 44:25, 94:6 interconnected 34:10 interest 5:8, 26:22, 63:3, 70:15, 70:16, 113:24, 117:13, 118:9 interested 12:4, 12:6, 82:21 interior 38:15, 64:13,	64:14 internal 20:10, 54:18, 83:20 internally 20:15, 82:17 interpreted 16:1 interrupt 8:16, 60:20 intersection 32:5, 34:23, 39:2, 39:4, 41:11, 51:7, 56:19 intro 27:15 introduce 14:15 introduction 9:4 introductions 27:17 inventory 80:22 inviting 82:11 issue 9:22, 10:3, 40:16 issued 9:17 issues 11:8, 54:15, 92:21, 92:25 it'll 36:13, 42:21, 61:4, 61:11 item 15:24, 16:2, 19:10, 22:24 items 14:13, 19:6, 23:14 iteration 112:5 itself 34:5, 38:19,
---	--	--	---

Transcript of Hearing
Conducted on February 6, 2025

48

83:5, 83:16, 111:23	103:7	L	54:2, 68:2, 82:23, 88:18, 99:14, 100:1, 100:2
J	kindly	lab	lastly
jeffrey	17:3, 27:17, 28:12, 75:23, 85:20, 99:3	87:6	26:18, 26:21
3:18	kinds	ladies	later
job	95:8	7:5	49:18, 72:13, 74:19
1:23	kitchen	land	latr
jose	84:4	5:15, 9:25, 10:23, 10:25, 24:12, 27:7, 28:4, 28:23, 30:19, 31:2, 41:13, 48:22, 48:24, 49:2, 49:7, 49:21, 50:14, 67:2, 71:16, 71:17, 73:23, 73:25, 74:8, 76:10, 76:23, 86:19, 86:24, 87:3	72:10, 102:21, 102:23, 103:22, 103:24, 105:25, 106:3, 106:13, 106:21, 107:4, 112:25
30:8	know	land-use	launch
jurisdictions	8:16, 11:16, 11:17, 11:22, 19:10, 20:3, 20:6, 20:16, 21:17, 22:8, 24:2, 25:17, 38:13, 41:22, 42:20, 46:13, 47:15, 48:17, 49:15, 50:7, 50:22, 51:15, 51:16, 52:6, 54:10, 54:11, 54:15, 56:8, 56:22, 56:23, 60:6, 60:9, 60:22, 64:9, 64:23, 66:8, 67:20, 68:18, 70:8, 74:17, 75:6, 94:5, 95:14, 95:21, 96:18, 97:6, 98:16, 104:1, 107:11, 108:24, 109:18, 109:19, 110:11, 110:12, 114:18, 114:19, 115:22	lane	laundry
30:3, 87:8	known	47:13, 66:5, 66:19	84:11
justification	44:10, 88:10, 117:10, 118:6	large	law
6:8, 17:23, 21:11	konly	29:16, 35:19, 35:23, 37:19, 38:6, 47:18, 51:1, 51:8, 56:8, 66:23, 72:3	10:15, 75:15
K		larger	lawn
k-a-l-b-a-g		40:1, 50:23, 68:13	62:11
27:22		largest	laying
kahn		78:3	50:20
3:18		last	layout
kalbag		21:25, 26:21, 27:22, 30:3, 47:10, 50:12, 51:10, 51:21,	6:14, 16:4, 18:2, 52:21, 52:22, 58:11, 81:16, 83:3
3:13, 4:7, 10:24, 27:4, 27:7, 27:21, 27:24, 28:3, 30:23, 74:12, 91:1, 91:14, 91:15			layouts
kalbag's			78:21, 113:15
30:16			lays
keep			83:5
9:19, 14:19			lead
keeping			83:24
82:17			leader
kept			29:15
15:16			leave
key			14:11
40:20, 49:25, 53:15, 53:16			left
khandikile			10:18, 28:17, 83:12
1:10, 9:4			legacy
kind			77:23
34:20, 40:3, 51:9, 51:17, 56:14, 61:12, 66:9, 93:22, 94:8, 96:7,			legal
			5:13, 118:14

length 107:22 lenhart 3:17, 11:2 lerch 3:7, 10:15, 75:15 less 64:11, 72:16, 79:22, 103:21, 104:25, 106:1 let's 16:7 letter 5:7, 25:19, 53:13, 113:3, 115:5 level 84:2 license 87:14 licensed 87:11, 87:13 life 78:22, 78:23 lights 69:2 likely 95:1 limited 80:21 limits 52:3, 108:20 line 32:6, 33:25, 108:2 lined 72:5, 110:23 lines 47:5, 69:14 link 20:2, 57:21 list 5:10, 14:23, 15:13, 21:7, 116:3 listed 21:19	listen 9:9 little 20:13, 37:8, 40:11, 40:13, 60:17, 60:22, 68:25, 74:14, 80:25, 83:7, 95:5, 95:11, 109:17 livability 78:13 livable 77:13 live 85:9 living 80:20, 81:5, 82:22, 84:2, 84:3 llc 29:8 lma 1:7, 5:6, 25:11, 26:11, 30:25, 31:5, 37:1, 100:20, 101:17, 102:12, 113:6, 113:9, 114:10 local 7:6, 7:19, 7:21, 8:6, 9:14, 10:22, 15:9, 24:7, 25:1, 30:24, 31:10, 39:11, 41:14, 64:21, 65:1, 65:5, 78:24, 80:8, 89:18, 90:16, 97:18, 100:18, 100:23, 101:1, 101:5, 101:20, 102:10, 102:12, 102:16, 103:2, 103:5, 104:2, 104:17, 105:22	located 8:8, 32:4, 33:13, 34:2, 34:13, 48:14, 58:2, 58:4, 59:14, 66:25, 69:6, 76:12, 89:12, 94:23, 96:23 location 31:23, 33:13, 57:19, 59:11, 60:12, 64:11, 68:11, 71:13, 80:1, 81:6, 92:9 locations 56:16, 69:7, 102:6 lock 19:20 locked 20:16 logistically 19:17 long 28:3, 29:19, 86:12 look 18:15, 21:7, 41:23, 50:20, 70:9, 101:8 looking 54:22, 56:11, 56:12, 63:25, 69:3, 85:9, 95:22 looks 59:2, 103:11, 111:2 lot 13:20, 34:11, 34:14, 53:8, 56:12, 58:11, 59:21, 59:22, 60:7, 60:9, 60:11, 62:17, 109:18 lots 36:4, 77:2	lower 109:2 lowest 34:18, 34:19 luxury 50:8, 78:15 <hr/> M <hr/> m-i-c-h-a-e-l 86:6 made 9:6, 23:4, 30:5, 31:9, 74:4, 90:6, 90:8, 97:24, 101:11 main 48:12, 48:17, 84:2 maintaining 76:24 major 69:13, 69:14, 107:12, 108:2 majority 96:11, 102:17 make 13:11, 13:12, 18:18, 20:18, 20:21, 23:24, 25:4, 27:11, 40:23, 58:13, 65:2, 68:2, 73:8, 75:6, 79:8, 93:6, 110:8, 110:22 makes 23:20, 60:10, 63:23, 115:21 making 43:20, 51:2, 92:1 manage 31:6 managed 76:19 management 74:17, 93:2,
--	---	--	---

93:3, 93:7, 93:23, 94:8, 94:13, 96:1, 96:12, 97:2, 97:5, 97:7 manager 7:9, 10:23, 76:11 managing 29:15 manner 24:18, 96:8 many 78:16, 87:2, 88:6, 96:15 map 5:11, 7:6, 7:19, 7:21, 8:6, 9:14, 10:22, 15:9, 24:7, 25:1, 30:24, 31:10, 36:18, 39:11, 41:14, 49:4, 64:21, 64:23, 65:1, 65:5, 78:24, 89:18, 90:16, 97:18, 100:18, 100:24, 101:1, 104:17 maps 19:20 mark 20:3 market 66:23, 80:8, 80:25 marketing 77:8 markings 95:5 maryland 1:2, 1:11, 2:7, 2:10, 2:20, 3:9, 7:11, 10:16, 10:25, 24:17, 29:8, 29:10, 43:18, 76:13,	78:11, 86:8, 87:13, 87:20, 93:9, 117:19 maryland's 87:18 masse 14:10 master 26:18, 30:10, 42:25, 43:1, 43:3, 43:9, 43:11, 43:15, 43:23, 45:9, 45:10, 47:2, 49:7, 49:9, 50:10, 51:19, 53:23, 53:25, 64:22, 65:11, 65:20, 66:6, 66:8, 66:21, 67:4, 68:14, 68:22, 80:11, 89:14, 89:15, 97:21, 113:11 master's 77:16 mastrosimone 1:25, 118:2, 118:13 match 45:20, 70:7 materials 61:9 matter 11:4, 13:5, 14:5, 21:4, 88:14 maximizing 67:2 maximum 37:5, 37:7, 39:10, 39:12, 39:14, 39:16, 42:17, 63:10, 63:14, 69:10 maybe 60:16, 67:6, 110:5	mbf 95:6 md 33:23, 69:15 mean 63:12 meaningful 24:23, 25:21 means 8:24, 9:8, 11:14 mechanical 84:11 mechanism 51:17 median 32:20 medium 36:24 meet 40:18, 47:6, 49:7, 58:15, 61:7, 61:11, 66:17, 69:23, 69:25, 71:6, 72:11, 80:23, 93:7, 94:11 meeting 25:12, 46:21, 50:10, 53:13, 63:14, 66:14, 66:25, 67:4, 68:18, 69:8, 70:5, 70:9, 80:11, 91:24 meets 26:12, 46:6, 46:15, 49:13, 58:17, 61:23, 62:8, 65:22, 66:1, 68:25, 70:1, 107:5 members 13:17, 90:5 memo 5:22 mention 12:12, 19:17,	48:6, 68:5, 71:10 mentioned 8:18, 27:14, 42:25, 58:9, 68:15, 82:16, 86:23, 91:1, 91:10, 115:24, 116:18 methodology 105:18 metro 7:8, 10:19, 10:20, 25:17, 33:19, 33:20, 34:3, 42:13, 66:9, 76:11, 76:21, 77:22, 78:6, 78:8, 113:21 metropolitan 79:10 mic 7:25 michael 3:15, 4:13, 10:24, 30:11, 85:23, 86:6 microbio-retenti- on 94:16, 96:15 mid 50:8 mid-block 60:13 mid-county 21:14 mid-range 45:25 middle 50:2, 50:6, 53:11 midpoint 41:1, 48:19 might 20:23, 59:8, 83:7, 96:18, 96:20, 115:22
---	---	--	--

mike 85:17	modern 78:20	113:12, 115:11	mvunga 1:10
mile 33:18, 42:8, 63:7, 69:17	modes 103:9, 103:16, 107:19	morning 7:5, 104:23	<hr/> N <hr/>
mind 21:9, 48:3, 114:17	modified 90:14	most 17:11, 30:11, 35:2, 66:3, 70:4, 85:3, 94:14, 95:1, 99:25, 100:4	n-i-c-h-o-l-a-s 99:14
minimum 63:8, 63:9, 69:10, 82:20	moment 83:4	mostly 15:1	nail 110:12
minor 26:17, 43:4, 53:23, 53:25, 65:20, 89:14, 109:17, 113:11	monona 34:23, 39:2, 51:8	motion 100:11	nailed 54:9
minus 104:5	montgomery 1:2, 2:5, 9:16, 25:9, 29:23, 44:6, 66:1, 69:22, 69:23, 78:17, 83:4, 84:15, 84:19, 87:8, 87:24, 88:7, 88:8, 93:8, 94:3, 102:9, 103:7	mouthful 103:19	name 9:4, 27:5, 27:17, 27:20, 27:22, 75:19, 76:6, 86:4, 86:6, 99:11, 99:14
missing 50:2, 50:6	more 32:22, 35:3, 35:25, 37:21, 38:7, 40:25, 41:12, 42:9, 45:19, 46:2, 46:3, 47:18, 49:18, 50:23, 56:9, 56:22, 57:11, 59:1, 62:20, 64:10, 64:11, 65:18, 65:25, 67:14, 67:19, 67:24, 68:8, 68:20, 69:22, 70:7, 71:12, 72:12, 72:17, 75:9, 75:10, 80:17, 81:3, 81:6, 83:7, 83:8, 94:5, 95:22, 96:3, 98:11, 98:13, 103:6, 103:18, 109:12,	move 58:25, 81:23, 82:23, 84:1, 88:25, 100:8	namely 56:6
mistaken 13:7		moved 39:25	national 43:18, 76:19
misunderstood 61:16		movement 50:25	natural 47:13
mitigate 106:23		mpd 46:14	nature 11:13
mitigation 50:17, 54:5		mpdu 46:12, 46:16, 46:17, 50:4	near 42:1, 49:14
mix 25:2, 42:6, 67:5, 81:10, 84:8		much 19:24, 22:13, 39:25, 42:24, 47:18, 50:5, 61:14, 68:12, 74:23, 75:1, 93:15, 95:22, 97:14, 106:1, 110:15, 114:2, 115:14, 115:18, 115:21, 116:22	necessarily 12:7
mixed 66:10		much-needed 85:7	necessary 26:10, 73:8, 91:20
mixed-use 55:18, 55:21		multifamily 37:9, 59:5, 60:1, 87:5	need 13:2, 15:17, 79:12, 79:16, 80:23, 94:12, 98:20, 112:1
mixes 42:9		multiple 48:16, 103:9	needed 75:6
mobility 68:23, 69:2, 69:18		must 10:7, 65:1	needs 38:23, 59:11, 60:4, 67:10, 67:21, 82:20, 91:22
model 77:11			negative 54:5
moderate 8:11			neighborhood 8:12, 23:19,
moderately-price 46:8			
moderately-priced 85:4, 113:17			

<p>24:2, 25:6, 25:25, 31:14, 35:6, 35:10, 35:15, 35:17, 36:11, 36:13, 37:4, 40:13, 53:7, 53:15, 53:19, 54:3, 56:6, 58:15, 73:1, 113:18 neighborhoods 39:6, 51:23, 52:2, 52:24, 53:2, 53:18, 56:20 neighbors 54:16 neither 117:11, 118:7 net 24:12, 32:12, 58:24, 59:21, 59:22, 103:18, 103:20, 104:20, 105:25, 106:2 networks 47:13, 72:14 never 61:5 new 45:25, 52:1, 54:6, 54:17, 79:16, 80:8, 80:14, 80:16, 80:23, 83:3, 85:7, 92:17, 103:18, 103:20, 113:17 next 12:3, 75:17, 85:16, 85:18, 95:15, 96:3, 99:2, 109:18, 115:17 nicer 107:24 nicholas 4:16, 99:6,</p>	<p>99:13 nick 3:17, 11:2, 99:2 nicole 1:25, 118:2, 118:13 nine 57:14 none 11:12, 12:8 nonresidential 72:22 normally 110:21 north 32:10, 32:17, 33:9, 33:14, 33:15, 33:18, 35:24, 36:15, 38:15, 39:5, 39:7, 41:17, 41:20, 41:24, 42:12, 48:19, 52:6, 52:14, 52:15, 52:19, 56:19, 57:5, 69:17, 78:18, 81:3, 91:5, 91:8 northeast 55:2 notable 78:16 notably 62:21, 85:3 notary 2:19, 117:1, 117:19 notation 20:6 note 18:11, 20:10, 24:3, 34:16, 53:8 noted 15:21, 16:16, 21:8, 101:19 nothing 85:13</p>	<p>notice 5:23, 19:12, 20:5, 111:7 noticed 19:8 notification 5:10 nri 5:14 number 7:7, 15:1, 39:10, 45:8, 46:22, 47:25, 48:1, 48:25, 49:21, 62:2, 62:10, 68:4, 69:25, 87:14, 88:14, 88:18, 96:19, 96:20, 99:23, 105:13, 115:3, 115:7 numbers 105:7 numerous 30:2, 30:10, 30:13, 41:3, 100:2</p> <hr/> <p>O</p> <hr/> <p>oath 12:13, 28:10, 28:20, 75:22 objection 16:11 objections 12:9 objective 46:7, 49:13, 50:11, 68:17, 70:6, 70:10 objectives 36:7, 38:4, 41:25, 45:6, 46:21, 53:16, 65:23, 65:24, 65:25, 66:21, 69:1, 70:1 objects 61:10</p>	<p>obligations 112:20 obvious 15:4 obviously 61:6, 70:5, 84:12 occupation 27:5, 75:19, 76:7, 86:4, 99:12 occur 49:3, 56:22 occurring 69:14 occurs 63:22 off-site 47:5, 93:24 offer 80:16, 81:6, 81:13, 82:13, 82:19, 84:3 offered 26:5, 111:8 offers 82:15 office 1:1, 2:5, 2:8, 13:10, 14:2, 24:21, 29:24, 33:1, 33:4, 33:10, 34:8, 34:9, 34:13, 35:2, 35:19, 36:3, 36:4, 41:15, 41:16, 49:11, 56:23, 66:22, 72:17, 77:1, 79:5, 87:6, 87:24, 92:13, 93:20, 94:2, 94:10, 100:15, 102:15, 104:4, 104:14 officer 117:2 offices 32:22, 67:7,</p>
---	---	---	---

<p>76:12, 79:19 official 36:17, 43:7 officially 116:23 oh 21:25, 62:5 okay 7:14, 8:3, 11:12, 13:23, 14:14, 14:17, 14:24, 15:3, 15:8, 15:11, 16:7, 16:9, 17:16, 18:23, 19:4, 19:22, 19:25, 21:1, 21:24, 22:12, 23:9, 27:3, 28:11, 31:21, 37:18, 61:21, 88:21, 108:23, 110:10, 110:15, 112:3 on-site 93:22 on-street 48:15, 64:10 once 19:19, 20:3 one 7:14, 14:10, 16:8, 17:7, 20:5, 20:11, 21:25, 22:3, 22:5, 23:7, 26:21, 34:9, 38:3, 40:20, 40:21, 41:25, 42:8, 45:8, 45:17, 48:5, 48:25, 49:25, 50:21, 53:8, 53:15, 54:14, 57:8, 63:8, 66:16, 70:5, 71:3, 74:14, 78:3, 84:14,</p>	<p>90:13, 91:2, 91:3, 91:5, 93:24, 93:25, 95:9, 95:10, 95:14, 98:11, 103:4, 107:15, 109:17, 110:25, 112:1, 112:14, 115:11 one-story 32:18 ones 15:5, 19:17, 95:4, 116:15 online 16:22, 18:6, 18:9, 18:21, 19:9, 20:2 only 12:10, 17:7, 21:4, 23:6, 53:16, 106:2, 108:20, 116:2 onsite 96:22 open 6:4, 9:19, 17:20, 20:4, 22:14, 24:23, 38:22, 38:23, 39:18, 39:19, 41:8, 51:6, 51:8, 57:5, 57:7, 57:9, 58:22, 58:24, 59:2, 59:4, 59:5, 59:10, 59:13, 59:17, 59:25, 60:2, 60:8, 60:11, 60:12, 60:23, 63:22, 63:23, 67:16, 67:21, 67:22, 67:25, 68:5, 68:8, 68:19, 71:12, 91:25, 111:25, 115:25, 116:1</p>	<p>open-space 50:16, 51:11, 58:20, 59:16, 59:18, 62:11, 67:17, 68:4 opened 20:5 opening 4:3, 11:20, 11:25, 23:17 operations 12:25 operator 7:12 opinion 36:10, 39:14, 43:12, 44:24, 64:16, 70:15, 71:22, 73:6, 73:7, 73:18, 92:3, 97:16, 102:24, 106:24 opportunities 26:5, 45:16, 49:10, 56:24, 62:22, 79:4, 79:7, 79:23, 80:7, 80:12 opportunity 11:20, 11:25, 60:16, 65:4, 65:13, 73:11 opposing 12:3 opposition 11:11, 11:21, 12:15, 23:20, 24:2, 26:6 options 24:22, 80:22, 113:13 oral 10:6, 10:7 orange 59:24, 60:4, 68:8 order 22:19</p>	<p>ordinance 9:15, 44:6, 44:11, 44:16, 45:1, 45:7, 55:11, 55:13, 58:1, 70:22, 101:2, 113:7, 113:8 organize 51:5 orientate 38:8 orientation 15:1 original 43:5 originally 39:24, 54:19, 77:25 other 12:4, 12:6, 16:2, 16:17, 19:1, 19:5, 21:4, 26:8, 30:2, 30:3, 41:16, 51:3, 62:15, 65:12, 65:20, 75:1, 87:6, 87:8, 88:3, 90:5, 92:8, 95:9, 96:2, 100:2, 100:14, 102:4, 104:24, 107:18, 110:18, 113:22, 116:15 others 11:6, 22:1, 95:6 otherwise 19:1, 20:23, 117:13, 118:10 out 8:20, 8:21, 15:21, 19:11, 21:17, 22:10, 32:2, 41:5, 41:22, 42:4,</p>
--	--	--	---

50:20, 51:2, 55:14, 57:12, 62:7, 62:10, 64:1, 67:22, 69:7, 81:1, 83:6, 105:3 outcome 117:13, 118:10 outlined 73:9, 107:1 outset 15:13, 111:8, 115:24, 116:19 outside 11:7, 60:25 over 7:17, 11:17, 11:19, 12:9, 13:3, 24:14, 25:20, 28:5, 28:22, 42:18, 56:8, 63:20, 76:22, 77:4, 77:25, 78:8, 79:13, 86:14, 86:23, 100:2, 115:10 overall 37:16, 43:14, 67:4 overburdening 49:17 overlap 13:20, 61:18 oversee 86:18, 89:23 overseeing 76:24 owe 112:13 ozah 13:18, 17:7, 27:10, 88:15, 88:22, 100:6 ozah's 14:9 ozha 12:20	P package 17:8, 17:13 page 4:3, 4:6, 4:19, 5:4, 6:3, 18:20, 21:11, 106:6, 106:9, 110:9 pages 1:24, 18:12, 19:1 pan 41:22 panels 30:4, 30:9 paper 15:17, 16:20 papers 111:1 park 7:10, 13:8, 21:14, 24:21, 39:23, 40:1, 40:8, 40:22, 41:8, 41:9, 43:18, 51:16, 56:15, 57:10, 57:15, 57:22, 68:14, 68:16, 71:12, 76:12, 78:18, 91:13, 91:19, 94:2, 97:25 parked 82:17, 82:18 parking 34:11, 34:14, 34:15, 36:4, 48:15, 53:11, 54:18, 56:12, 63:2, 63:6, 63:9, 63:16, 63:18, 64:2, 64:10, 77:1, 82:15, 83:19 parks 51:14, 77:1,	77:11 part 8:15, 12:18, 23:4, 39:21, 40:10, 44:14, 51:10, 57:16, 78:2, 90:1, 90:4, 90:16, 91:24, 94:14, 102:3, 104:17, 107:13, 111:17 participate 8:24 participation 9:1 particular 22:4, 63:3, 69:24, 71:3, 79:24, 110:14, 112:23, 114:1 particularly 25:16 parties 10:8, 10:10, 10:12, 11:24, 117:12, 118:9 partner 86:18 party 10:2, 10:6, 12:3, 12:10 past 25:20, 76:22 path 61:10, 69:11, 107:24 paths 103:4 pathway 23:16 patrick 3:5, 10:14, 85:16, 109:9 patterns 47:13 peak 104:21, 104:24 peak-hour 103:14, 103:19,	103:20, 104:21, 104:23, 105:13 pedestrian 40:19, 41:7, 50:25, 61:7, 61:13, 91:13, 92:1 pedestrian-orien- ted 66:10 pedestrians 53:18, 101:9, 103:11, 105:2, 107:17, 107:25 pencils 59:8, 62:20 penn 77:17 pennsylvania 87:10 people 23:20, 23:24, 105:1 percent 5:8, 46:13, 46:16, 46:17, 58:24, 59:2, 59:21, 59:22, 85:3, 113:16 perfect 98:18 perfectly 98:20 perhaps 21:8, 37:13, 58:18 periphery 96:3 permits 73:8 permitted 37:10 permitting 94:4 person 10:22, 103:14, 103:19, 103:21, 104:21, 104:23,
---	--	---	--

<p>105:13 personal 31:9, 90:6, 90:9, 101:11 personally 31:12 persons 5:8, 12:4, 12:6 perspective 35:16, 41:13, 66:5, 66:19 pfc 5:16, 5:17, 6:10 phcp 17:24 pick 94:17 picking 95:16, 95:18 picnic 62:15 piece 41:12, 61:3, 62:13, 71:17 pieces 45:2, 116:13 pike 33:24 pipe 94:19 pipeline 76:25 pitching 95:2 place 8:9, 8:10, 14:1, 24:14, 24:16, 32:9, 32:25, 34:20, 38:12, 38:16, 38:24, 40:2, 47:16, 48:8, 48:18, 54:10, 55:8, 69:4, 69:6, 91:3, 91:4, 91:6, 102:2, 102:7,</p>	<p>107:16, 107:20 placed 48:14 placement 38:21, 58:12 places 30:3, 60:8 placing 53:3 plan's 46:15, 49:7, 50:11 planned 46:25 planner 11:1, 27:7, 28:4 planners 29:4 planning 5:15, 5:22, 13:9, 13:19, 21:14, 25:9, 25:12, 25:18, 26:1, 28:23, 29:14, 30:19, 31:2, 37:16, 40:8, 40:9, 40:17, 41:13, 43:19, 44:2, 45:5, 46:21, 49:2, 57:3, 60:6, 72:10, 73:23, 73:25, 74:5, 74:7, 74:8, 76:18, 77:9, 79:3, 84:20, 87:3, 88:3, 88:8, 97:25, 98:3, 102:18, 106:12, 106:21, 108:4, 108:9, 113:1, 114:3, 114:20 plans 17:9, 22:4, 30:11, 45:10, 49:4, 65:12,</p>	<p>65:13, 65:16, 65:21, 66:2, 67:13, 67:17, 68:14, 68:22, 80:12, 83:11, 89:15, 89:16, 89:24, 90:1, 90:3 plat 5:12 play 77:11 playgrounds 62:16 please 7:24, 8:2, 8:15, 22:18, 70:22, 71:20, 75:18, 76:6, 76:14, 81:24, 81:25, 82:24, 86:3, 86:20, 93:17, 99:11, 100:22 pledge 85:6 plow 98:17 plus 42:21, 104:5, 112:23 point 8:21, 14:4, 19:11, 19:20, 20:13, 22:10, 25:8, 32:2, 34:18, 34:19, 34:20, 41:5, 62:7, 62:10, 67:22, 69:7, 78:19, 84:14, 100:3, 105:7, 107:10, 109:17, 116:23 point-range 46:1 pointe 1:7, 3:14, 7:8,</p>	<p>10:19, 10:20, 76:11, 76:23, 77:20, 77:22, 78:2, 78:5, 84:21 pointing 106:7 points 47:17, 102:2, 102:5, 107:16, 107:18 policies 113:12 policy 101:4 ponds 93:24, 94:1, 94:5, 94:7, 96:12 popped 114:17 population 49:24 porosity 56:15, 60:15 position 29:12, 29:13, 39:24 possible 27:18, 96:18 posted 14:9, 18:9 posting 6:11, 24:4 potomac 7:10, 7:11, 76:12, 76:13 powder 84:4 pre-hearing 5:24 preceded 13:19 predominantly 79:15 preference 14:11, 14:15, 21:6</p>
---	--	---	--

<p>prehearing 16:19 preliminary 84:20, 84:22, 95:20, 96:14, 97:11, 114:23, 114:25 premier 76:20 prepare 31:2, 89:23, 89:25, 90:3, 96:13, 101:15 prepared 93:5, 99:19, 100:13, 101:21, 102:20, 102:22, 104:13, 107:2, 118:3 preparing 84:22, 95:19 present 3:12, 8:25, 9:2, 10:6, 12:5, 12:10, 12:16, 12:19 presentation 14:20, 115:16, 115:20 presented 25:22, 26:3, 114:5 preserved 62:22 president 86:7, 87:21 presidents 9:24 press 8:1 presumed 94:1 pretty 14:3, 42:23 previous 76:18 previously 16:12, 29:22,</p>	<p>70:25, 71:24, 72:23, 91:9, 93:2, 99:17 prices 80:17 primarily 15:10, 35:18, 36:2, 50:24 primary 27:5, 41:25, 47:16, 66:16, 70:9, 75:19, 76:7, 84:8, 86:4, 101:19 prime 80:16 prior 24:13, 100:5, 112:5 prioritize 42:5 prioritizing 59:10 private 30:7, 30:12, 38:25 probably 14:19, 14:22, 39:12, 44:4, 56:21, 70:4 problem 75:13, 111:22 procedural 11:18 procedure 11:16 proceed 27:2, 28:16, 112:16 proceeding 11:14, 13:19, 13:20, 27:15, 118:4 proceedings 11:13, 117:3, 117:5, 117:8, 118:6 process 9:11, 25:14,</p>	<p>27:11, 29:17, 49:15, 56:25, 62:19, 84:15 processes 54:13 producing 52:18, 70:7 product 83:5 production 45:19, 77:8 products 46:1, 82:13, 82:19 professional 28:4, 28:6, 28:7, 36:9, 39:14, 43:12, 44:12, 44:23, 64:16, 70:15, 71:22, 73:6, 73:7, 73:18, 76:15, 86:20, 86:21, 87:11, 92:3, 97:16, 99:15, 102:24, 106:24 programming 56:17 prohibits 58:1 project 31:8, 32:7, 43:21, 44:11, 44:24, 45:11, 46:6, 46:23, 47:4, 47:6, 47:11, 47:15, 47:17, 48:24, 48:25, 50:3, 50:14, 50:21, 51:25, 54:4, 55:23, 56:2, 58:20, 61:23, 62:9, 65:19, 70:16, 70:24, 70:25, 71:15, 72:15, 93:4,</p>	<p>93:19, 101:25, 102:20, 102:25, 103:4, 106:25, 109:23, 113:10, 113:14 projections 79:14 projects 76:25, 78:17, 86:24, 87:6 promenade 41:7, 61:3, 61:11, 62:13 promote 50:24 pronouncing 41:19 properties 107:9 property 5:13, 7:22, 8:8, 24:8, 24:11, 24:12, 24:15, 26:20, 31:11, 31:20, 31:24, 32:4, 32:11, 32:24, 33:21, 33:22, 33:23, 34:3, 34:4, 34:5, 34:7, 36:2, 36:18, 36:22, 37:20, 39:4, 43:2, 47:14, 49:23, 55:4, 58:2, 58:4, 58:5, 64:25, 66:14, 72:22, 73:4, 79:8, 79:15, 89:11, 89:12, 90:7, 90:25, 91:2, 91:19, 92:2, 92:12, 93:20, 93:25, 96:23, 101:17, 101:24, 102:4, 113:20 property's 80:1</p>
--	--	---	---

proponent 41:12 proposal 25:4, 26:4, 37:17, 37:19, 45:21 propose 46:10 proposed 25:5, 26:15, 26:19, 36:10, 36:12, 36:21, 36:25, 37:2, 37:6, 37:24, 43:13, 43:21, 46:23, 46:24, 58:16, 64:17, 65:9, 70:14, 70:18, 71:18, 72:25, 73:14, 73:19, 79:5, 80:8, 81:11, 82:5, 90:20, 90:24, 92:5, 92:17, 96:16, 97:17, 101:16, 101:25, 102:3, 102:8, 102:12, 103:17, 104:6, 104:16, 104:25, 107:8, 113:5 proposes 8:7 proposing 23:25, 46:11, 67:3, 81:12, 82:9, 96:22 protect 53:1 protected 51:23 protecting 53:6 protection 50:17, 54:2, 96:24 protects 52:23	proud 113:25 prove 106:3 proven 80:14 provide 20:7, 48:25, 50:1, 52:25, 54:5, 54:13, 55:21, 76:14, 77:14, 77:19, 86:19, 94:8, 94:13, 94:18, 113:16 provided 93:23, 100:14, 107:11 provides 45:22, 47:15, 50:3, 51:17, 54:8, 71:15, 91:19 providing 30:9, 46:12, 46:16, 49:13, 56:5, 57:15, 68:20, 69:13, 70:10, 94:15, 96:1 provisions 44:7, 46:9 proximity 25:17, 36:16, 42:10, 81:7, 91:20, 113:21, 113:22 public 2:19, 5:23, 7:6, 7:19, 13:17, 26:14, 26:22, 30:7, 38:20, 38:21, 38:23, 38:24, 39:1, 39:3, 39:23, 47:3, 47:7, 48:8, 49:17, 51:6,	59:5, 59:10, 59:11, 59:12, 59:25, 60:12, 63:22, 67:21, 67:25, 68:7, 68:8, 68:9, 68:13, 68:19, 68:21, 70:14, 70:16, 73:13, 73:15, 73:16, 101:2, 113:24, 116:24, 117:1, 117:19 published 74:2 pull 18:12, 22:15, 48:3 pulled 81:17 purple 32:6 purpose 55:16, 59:20 purposes 15:2, 26:13, 44:18, 55:11, 55:14, 55:24, 59:6, 70:19, 70:21, 71:1 pursuant 9:13 put 9:6, 47:22, 53:10, 54:17, 60:8, 61:10, 62:1, 62:18, 68:1, 74:8, 88:13, 112:23 putting 21:6, 68:10 <hr/> Q <hr/> qualifications 28:20, 28:21, 88:11 qualified 12:20, 88:4,	89:6, 117:7 qualifying 99:20 quality 78:22 question 60:21, 114:17 questions 31:19, 39:9, 44:10, 48:23, 57:23, 74:13, 85:15, 97:2, 98:8, 98:13, 99:20, 108:17, 114:7 quick 60:21, 98:12 quickly 41:23 quite 82:10 quote 46:4, 50:6, 67:25 quoting 46:3 <hr/> R <hr/> r 8:13, 33:15, 33:16, 37:5 racks 63:24 rail 33:20 raise 28:13, 75:23, 85:20, 99:3 range 39:16, 45:22, 49:14, 50:1, 50:8, 55:18, 66:16, 78:14 ranges 80:18 ratio 72:9, 106:20 read 48:3, 55:14,
--	--	--	---

82:10 ready 26:24, 26:25, 27:1, 98:22, 110:17, 115:16 real 42:12, 76:17 real-life 83:13 reality 18:21, 21:12, 83:15 really 7:17, 40:1, 40:3, 41:23, 41:25, 51:5, 53:6, 53:13, 54:8, 54:9, 54:17, 54:23, 58:12, 67:5, 91:11, 94:7, 97:4 rear 82:17, 83:10 rear-alley 82:15 rebuttal 12:9 rec 62:1, 62:11 receipt 114:12 receive 87:9, 97:12, 116:9 received 28:8, 29:2, 86:22 receiving 116:7 recent 78:17, 99:25, 100:4 recently 30:11, 79:11 recognized 27:9, 100:6 recommend 25:10	recommendation 9:12, 9:17, 10:4, 43:20, 44:2, 105:5, 113:2, 116:21 recommendations 26:17, 30:5, 30:9, 43:14, 43:17, 43:23, 49:8, 65:11, 66:7, 66:13, 67:17, 69:23, 74:6 recommended 40:8, 57:3, 98:3, 108:10 recommends 114:13 record 9:1, 9:18, 9:19, 9:21, 9:25, 10:2, 10:8, 10:14, 11:24, 13:2, 13:8, 13:14, 14:9, 15:6, 15:7, 17:3, 17:7, 18:11, 21:19, 22:9, 22:14, 23:5, 24:9, 25:18, 25:19, 27:6, 27:19, 30:17, 33:5, 40:5, 43:25, 55:1, 62:4, 63:5, 73:24, 75:14, 76:8, 77:21, 86:5, 87:16, 89:3, 99:13, 106:6, 111:20, 111:25, 112:12, 112:24, 114:10, 115:24, 115:25, 116:4, 116:16, 116:20, 117:9, 118:5 recorded 27:15, 117:6	recording 117:8, 118:4 records 13:21 recreation 5:25, 17:18, 61:24, 77:11 rectangles 96:2 red 8:1, 33:11, 95:5 redevelop 49:6 redeveloped 30:8 redeveloping 71:17, 79:14 redevelopment 24:20, 49:10, 49:11, 79:5, 79:8, 79:23, 82:9, 87:4 reduce 56:9 reduced 63:6, 117:6 reduces 37:21 reducing 46:5, 50:23, 70:11 reduction 107:3 refer 14:25 reference 18:22, 20:25, 38:2, 38:3, 93:13 referring 55:1, 72:18, 104:8 refining 62:6 regard 31:5, 65:8, 73:25, 100:23	regarding 57:24 region 76:21, 78:7, 79:12 regional 79:9 regularly-schedu- led 25:11 regulated 71:9 regulations 94:12 reign 12:15, 12:16 reinstated 15:24, 16:5, 16:11, 22:24 relate 83:15 related 44:7, 117:11, 118:8 relationships 52:1 relative 70:5 relatively 98:11 relevant 12:18, 89:10, 89:24 relief 12:2 relying 15:13 remain 115:25, 116:1 remarks 110:18 render 9:11 repetition 64:20 repetitive 58:19 replaced 15:21, 16:2,
---	---	---	---

<p>16:13 report 5:15, 5:21, 9:11, 9:16, 9:22, 10:3, 21:6, 21:15, 21:16, 35:7, 44:1, 62:9, 73:23, 73:25, 74:1, 74:2, 74:3, 74:5, 74:8, 90:1, 97:25, 101:16, 104:8, 105:5, 105:6, 108:5, 108:7, 110:1, 110:7, 112:25, 113:1, 116:20 reported 79:11 reporter 7:3, 27:16, 117:1, 118:14 reporter's 116:2 reports 31:3 representatives 12:23 represents 10:18, 71:15, 85:6 request 7:7, 7:20, 10:5, 10:7, 10:8, 21:10, 21:13, 24:7, 30:20, 59:14, 81:15, 89:6, 114:10 requested 16:6 requesting 7:22 require 47:5, 59:3 required 59:3, 63:11,</p>	<p>74:18, 93:4, 93:19, 106:2, 107:5, 111:9, 113:9 requirement 46:12, 46:17, 58:22, 61:24, 62:25, 63:15, 63:19, 69:9, 70:6, 70:24, 71:7, 71:23, 106:25 requirements 26:9, 26:13, 44:16, 47:8, 50:16, 58:21, 61:8, 61:11, 63:18, 64:18, 64:23, 70:21, 73:20, 91:24, 93:8, 95:23, 97:18, 103:24, 112:20, 113:7 requires 51:22, 64:25, 65:9, 70:13, 70:18, 71:18, 72:6, 72:24, 106:17 resale 80:21 residential 8:12, 24:21, 37:3, 41:17, 55:16, 56:20, 58:3, 72:15, 72:23, 73:5, 76:17, 77:24, 79:19, 81:10, 113:23 respect 101:1, 101:20 respectfully 114:9 respectively 11:1 respond 49:1, 55:19,</p>	<p>56:3 responds 70:24 responsibilities 29:13, 29:15, 31:4, 87:22, 100:23 responsibility 31:6 responsible 26:1, 100:25, 101:7 rest 22:6, 23:8, 112:16 restate 28:21 resume 30:16, 89:4 resumes 89:2 retail 87:6 retained 5:2 review 9:10, 21:13, 25:18, 30:4, 30:9, 30:13, 43:11, 65:4, 65:13, 73:11, 84:14, 88:7, 101:6, 101:21, 102:10, 102:13, 102:16, 103:3, 103:5, 104:3, 105:22, 106:12, 112:19, 114:6, 115:21 reviewed 25:10, 36:17, 43:7, 65:15, 74:1, 89:15, 90:15, 108:4, 114:21 reviewing 30:14, 30:15, 101:7</p>	<p>reviews 29:17, 90:10 rezone 8:7, 8:17 rezoned 24:18 rezoning 7:22, 24:7, 24:13, 26:18, 44:19 right 7:4, 8:14, 13:18, 16:22, 20:12, 21:18, 23:15, 23:18, 28:13, 33:13, 34:23, 39:24, 41:19, 42:11, 57:19, 58:25, 74:19, 75:23, 85:20, 95:13, 96:17, 97:10, 98:17, 98:21, 99:4 ripe 79:8 rising 56:23 road 32:8, 38:25, 40:3, 41:6, 59:13, 60:5, 61:2, 64:14, 67:22, 91:9, 94:17, 94:18, 94:21, 95:17, 95:18, 109:3 roads 107:4 roadside 95:9 robust 76:24 rockville 1:11, 2:10, 33:24, 69:16, 79:25, 80:15, 80:25, 88:9</p>
--	--	---	---

role 73:25, 76:18, 86:17 roof 42:21, 95:2, 95:16, 95:23 roofs 42:23 rooftop 95:3 room 2:9, 12:6, 84:4, 84:5 roughly 32:5, 34:21, 42:22, 46:14, 52:17, 59:23, 64:8 route 69:13 rules 11:15, 11:18, 11:23, 12:9 runoff 94:18 rural 58:3	said 63:21, 96:21, 115:20, 117:8, 118:5 sales 77:8, 77:12 same 13:21, 32:21, 32:23, 38:16, 52:18, 61:12, 83:24, 110:9 san 30:5, 30:7 sanitary 92:19 satisfied 112:21 satisfies 26:9, 44:24, 50:15, 55:24, 71:1, 71:22, 113:6 satisfy 58:20, 64:17, 70:19, 73:19, 97:17, 106:25 saw 12:17 say 20:2, 48:3, 65:18, 69:12, 69:25, 72:16, 95:6, 96:11 saying 20:6, 42:17 scale 52:18 scarcity 80:22 school 47:8 schools 81:7 science 87:9 scp 115:6 screen 32:1, 37:19,	62:4, 90:22, 105:16 scroll 105:20 scurry 13:12 seat 44:5 seating 62:15 second 48:20, 64:2 section 44:17, 44:19, 44:22, 44:25, 45:2, 48:21, 49:5, 51:22, 51:25, 55:13, 57:25, 58:23, 63:6, 63:17, 65:3, 65:9, 70:13, 70:18, 71:18, 72:6, 105:20, 106:17, 107:6 sectional 49:4 sections 9:15, 55:4 sector 25:23, 26:2, 43:8, 69:20, 80:11, 89:10, 89:13, 89:16 sectors 30:7 see 18:24, 20:4, 22:7, 22:15, 26:5, 33:12, 36:3, 37:20, 39:3, 45:23, 51:7, 54:19, 54:20, 54:24, 56:21, 60:3, 83:19, 94:20, 94:21, 94:23 seeing 48:10, 81:19,	81:20, 82:1, 82:2 seek 113:12 seeking 8:17, 24:19, 37:1, 39:11, 109:13 seem 115:22 seemed 112:21 send 10:7 sense 63:23, 68:12 sensitive 54:16 separately 17:12 series 31:19, 44:9, 94:15 serve 26:15, 49:24, 61:12, 91:13 served 30:4, 30:8, 30:12, 73:15, 92:10, 108:1 serves 38:20, 91:12 services 26:14, 84:10, 86:19, 94:4, 113:22 serving 89:22, 95:10 set 7:14, 9:13, 44:25, 65:3, 113:2, 115:14 setback 58:12, 109:22, 110:14 setbacks 36:1, 54:9, 109:19
<hr/> <p style="text-align: center;">S</p> <hr/> s 66:2 s-a-c-h-i-n 27:22 s-o-k-o-n-i 9:7 sachin 3:13, 4:7, 10:24, 27:4, 27:7, 27:9, 27:21, 27:24, 82:16 sachin's 80:10 safe 92:4, 102:25 safety 51:17, 103:12, 107:17			

sets 44:17, 54:11, 83:16 setting 56:25 settings 55:20 seventies 34:12, 94:11 several 76:20, 94:21, 99:25, 100:3 sewer 47:5, 92:8, 92:11, 92:21 shady 25:23, 26:17, 33:19, 38:5, 41:24, 42:1, 42:2, 43:3, 43:8, 43:9, 63:7, 65:20, 66:9, 69:17, 69:20, 89:13, 113:11 shape 38:18, 38:19, 110:24 shared 27:18 shared-use 69:10, 107:23 sharpening 59:8, 62:19 sheet 9:2 sheets 90:13, 111:15, 111:17, 112:14 shift 44:3 short 11:16 shorter 75:1, 75:2 shortfall 79:9, 79:12 should 7:25, 15:24,	16:4, 27:14, 28:10, 32:10, 33:25, 34:16, 35:3, 35:20, 37:22, 38:24, 39:22, 41:5, 47:22, 48:5, 56:21, 57:18, 69:7, 69:12, 96:11, 114:18 show 26:14, 26:22, 105:16, 111:20 showing 12:1, 83:12, 109:1, 111:21 shown 62:4, 83:1, 83:9, 90:20 shows 96:17 sidewalk 69:1, 83:25, 107:20, 107:22 sidewalks 69:5, 69:6, 72:4, 82:14 sign 6:11, 9:2 sign-in 9:2 signature-kyoss 117:16 signature-q7she 118:11 significant 23:23, 24:24, 25:3 signposting 17:25 similar 82:10 similarly 67:16 simply 20:24, 116:7 since 7:17, 11:21,	23:10, 60:20, 112:19 single 87:5 single-family 33:15, 33:17, 36:14, 39:6, 41:20, 50:7, 52:19, 78:15, 104:16 sir 55:8 site 31:10, 31:12, 31:13, 32:7, 37:17, 39:9, 39:13, 39:17, 40:19, 40:23, 40:24, 41:1, 41:2, 41:4, 42:5, 47:20, 54:8, 55:21, 56:6, 57:12, 58:11, 58:21, 59:1, 59:8, 60:15, 62:6, 62:19, 62:22, 63:21, 64:9, 69:15, 71:9, 84:16, 84:18, 84:21, 84:23, 92:10, 92:13, 94:13, 95:20, 96:1, 96:3, 96:10, 97:11, 101:1, 101:8, 101:12, 103:13, 103:17, 103:18, 105:23, 107:2, 107:13, 108:1, 109:20, 110:12 site's 93:7 sited 34:7 sites 35:2 six 33:8	six-story 33:4, 52:7 sixties 94:10 size 22:1, 22:6, 22:8, 23:4, 23:7, 49:23, 50:23, 58:11, 111:9, 111:12, 111:18, 112:2, 112:6, 112:10 sized 45:2, 116:10 sizes 96:19, 96:21, 113:14 skills 117:10, 118:7 skip 7:16, 12:9 slide 81:19, 81:20, 81:23, 82:1, 82:2, 82:7, 82:23, 83:1, 83:2 slides 81:16 slight 34:17 small 15:1, 23:17 smaller 47:19, 50:23, 51:2, 72:3 sokoni 1:10, 7:4, 9:5, 9:7, 10:14 solution 83:6, 83:9 solutions 78:14 some 8:20, 11:18, 11:22, 19:17, 20:13, 20:16, 22:1, 24:10,
--	--	--	---

<p>32:22, 33:13, 34:25, 35:22, 36:6, 36:14, 40:18, 48:14, 48:23, 56:25, 57:23, 59:13, 59:17, 61:17, 62:7, 62:10, 66:24, 77:19, 88:18, 91:1, 92:18, 93:5, 94:3, 94:22, 94:23, 94:25, 95:6, 96:2, 96:7, 96:19, 107:11, 110:13 something 47:23, 50:8, 50:9, 54:24, 56:24, 57:15, 59:9, 63:24, 74:16 sometimes 94:16, 94:19 soon 26:21 sorry 10:11, 24:17, 33:7, 33:22, 42:3, 45:4, 48:1, 52:15, 59:16, 60:19, 63:12, 64:13, 88:13 sort 20:18, 103:4, 103:6 sought 12:2 sound 58:18 sounds 19:3 south 32:21, 32:24, 32:25, 36:2, 41:19, 48:18, 81:2, 83:22,</p>	<p>91:2, 91:8, 93:24 southeast 55:2 southwest 34:20 soytutan 3:16 space 6:4, 17:21, 38:20, 38:22, 38:23, 39:3, 39:18, 39:19, 41:8, 41:9, 51:6, 51:8, 57:5, 57:7, 58:22, 58:25, 59:2, 59:4, 59:5, 59:10, 59:13, 59:25, 60:2, 60:8, 60:11, 60:12, 60:17, 60:23, 61:18, 63:22, 63:23, 67:21, 67:22, 67:25, 68:5, 68:8, 68:9, 68:13, 68:16, 68:19, 68:20, 71:12, 79:6, 85:5, 91:25 spaces 24:23, 34:11, 67:16, 77:10, 84:4, 84:12 spanning 77:24 spare 105:19 speak 37:8, 41:2, 68:14 speaking 8:2, 42:22, 59:23, 66:1, 72:12 special 96:23</p>	<p>specializes 92:23 specific 21:5, 62:20, 64:10, 65:2, 65:8, 66:13, 66:14, 79:3, 80:7 specifically 37:15, 42:4, 66:5 spell 9:6, 27:17 spelled 8:20 spelling 27:20 spine 41:2, 48:12, 48:18, 64:14, 91:9, 94:21, 95:17 split 59:7 splitting 59:23 spoke 26:21 spot 63:8, 88:13 square 58:24, 76:25, 104:5, 104:15 staff 5:21, 20:14, 21:15, 24:24, 25:7, 25:22, 35:7, 39:23, 40:8, 40:17, 43:19, 44:1, 51:4, 51:13, 54:14, 54:23, 60:6, 74:5, 90:8, 97:25, 106:12, 108:4, 108:7, 109:25, 110:1, 110:7, 110:8, 113:1,</p>	<p>114:3, 114:4 staff's 35:9, 74:7, 108:5, 114:2 stage 74:18, 86:25, 97:6 staging 47:2 stairs 84:12 stall 63:9 stalls 34:15, 63:10, 64:7, 64:8, 64:10 stamp 19:9, 19:18, 20:22 stand 11:16 standalone 16:13 standard 63:1, 106:20, 106:22 standards 26:9, 26:12, 44:4, 50:16, 52:25, 53:1, 53:11, 58:7, 58:10, 58:17, 70:20, 70:21, 71:1, 72:9, 103:20, 104:2 standish 8:8, 8:9, 8:10, 24:16, 32:9, 32:25, 34:20, 38:12, 38:16, 38:24, 40:2, 47:16, 48:8, 48:18, 55:8, 69:4, 69:6, 91:3, 91:4, 91:5, 96:4, 102:2, 102:7,</p>
--	---	---	--

107:16, 107:20, 108:21 standpoint 62:25, 63:1, 107:7, 108:25, 109:1 stands 37:3 start 28:18, 38:3 started 98:16 starting 13:5, 57:25 state 2:20, 11:24, 17:6, 27:4, 28:20, 75:18, 76:6, 77:17, 86:4, 87:10, 87:13, 87:17, 93:8, 99:11, 117:19 stated 92:24, 110:7 statement 4:3, 5:24, 6:7, 6:9, 16:19, 17:23, 17:24, 21:11, 23:17, 72:19, 101:22, 102:19, 102:20, 103:24, 104:13, 104:19, 106:4, 106:13, 107:2, 110:20 statements 4:19, 5:9, 11:21, 11:25 states 70:11, 78:4 stating 110:1 station 33:19, 42:2, 42:8, 42:10, 42:13, 63:8, 69:17	stenographic 118:14 step 83:5, 83:17 steps 115:17 sticker 95:15 still 20:15, 56:16, 62:14, 66:14, 67:6, 102:6 stock 80:23, 85:8 stops 34:1, 57:20 storage 96:6 stories 33:1, 34:9, 91:22 storm 94:19 stormwater 6:6, 17:22, 22:4, 23:3, 60:9, 74:15, 74:17, 93:2, 93:3, 93:7, 93:11, 93:22, 93:24, 94:8, 94:13, 96:1, 96:12, 97:2, 97:5, 97:7, 97:12 story-office 33:8 strategic 38:20 strategically 56:2 strategy 74:17, 79:20, 97:8 streamline 25:14 streams 71:10	street 33:3, 33:5, 38:9, 38:13, 38:15, 38:24, 38:25, 39:1, 51:16, 53:4, 53:5, 54:11, 59:12, 64:13, 68:10, 69:1, 69:5, 72:14, 109:23 streets 56:7, 69:8 streetscape 82:12 streetscapes 66:11, 66:15, 82:15 strip 60:22, 61:16 structure 35:2, 42:21, 52:10, 53:10, 72:17 structures 35:19, 36:3, 52:5 study 103:5, 103:7, 103:8, 103:15, 103:22, 104:19, 105:24, 112:25 stuff 7:16 style 83:3 styles 78:21 subdivision 84:23 subject 7:22, 8:8, 8:19, 78:25, 89:14, 90:6, 100:23, 101:24, 102:12, 102:15, 103:14, 103:22, 105:24	submarket 79:24, 80:15, 80:24 submission 9:12, 90:2, 116:2 submit 10:7, 12:17, 84:22, 97:11 submittal 14:13, 31:7 submitted 7:20, 15:6, 15:17, 16:12, 16:20, 17:12, 19:2, 30:17, 90:16, 116:15 subsequent 84:23 substance 11:17, 21:3 substantial 43:13, 43:22, 107:3 substantially 26:16, 43:16, 65:10 substantive 17:11, 70:4 suburban 80:3, 81:2, 92:19 suite 3:8, 7:10, 76:13, 84:9, 87:19 suites 84:7 summarize 65:22 summary 73:6 supervised 76:19 supplement 22:10 supply 45:20, 62:8,
---	--	---	--

Transcript of Hearing
Conducted on February 6, 2025

64

67:9, 70:8 support 36:14, 80:13, 92:17 supported 46:25 supporting 80:3 supportive 25:13 supposed 7:23, 7:24 sure 9:6, 13:11, 13:12, 17:4, 20:18, 20:20, 23:4, 23:18, 25:4, 27:13, 27:21, 31:25, 32:15, 32:16, 34:7, 45:17, 75:13, 93:6, 110:8, 110:22, 111:2, 115:12 surrounded 34:10, 34:14, 36:4, 53:11 surrounding 25:6, 31:11, 31:14, 32:14, 35:6, 35:15, 35:17, 36:11, 36:13, 36:18, 40:12, 58:14, 72:1, 72:14, 73:1, 101:13, 107:9 surroundings 26:20 surveying 90:9 sustainability 50:15, 78:13 sustainable 71:16 sworn 7:3, 28:14, 75:25, 76:2,	85:21, 85:24, 99:5, 99:7, 117:5 system 31:15 <hr/> <p style="text-align: center;">T</p> <hr/> take 38:5, 44:4, 56:8, 83:4 taken 19:15, 21:11, 24:14, 38:10, 117:3 takes 37:19 taking 51:1, 59:21, 70:2, 71:5, 72:2 talk 18:25, 40:13, 68:23, 68:24, 72:17, 98:24 talked 17:6, 40:11, 67:11, 69:19, 73:22 talking 24:1, 49:18, 52:5 tandem 83:19 target 49:9 targets 80:25 team 21:14 teams 77:8 technical 5:21, 21:15, 25:7, 44:1 technician 3:18 tedious 115:22 tell 12:24, 43:1,	58:23, 95:11 tenant 30:14 tenets 49:25 terms 34:6, 42:14, 51:10, 52:4, 52:11, 52:20, 63:16, 65:18, 71:8, 105:1, 107:13 tertiary 91:12 testified 27:25, 29:23, 30:1, 30:2, 76:3, 85:25, 87:23, 88:2, 88:6, 88:8, 88:15, 88:19, 88:22, 99:8, 99:18 testify 88:5, 88:11 testimony 9:10, 12:13, 13:2, 46:2, 49:19, 72:13, 80:10, 100:7, 100:14, 107:10, 108:6, 112:22 tests 47:9 thank 10:13, 11:10, 13:4, 21:23, 22:12, 23:12, 23:13, 23:14, 24:6, 27:23, 28:15, 28:25, 30:22, 35:5, 36:9, 48:2, 61:14, 61:21, 62:5, 74:12, 74:22, 74:24, 74:25, 76:14, 81:9, 85:14,	85:17, 85:22, 86:3, 88:24, 89:8, 93:14, 93:17, 97:13, 98:7, 98:9, 98:23, 100:8, 106:10, 108:16, 109:6, 109:7, 109:10, 110:10, 110:15, 110:16, 110:21, 112:18, 115:13, 115:18, 116:22 theirs 95:1 thereafter 117:6 therefore 63:8 thing 32:21, 38:16, 48:5, 51:3, 53:8, 60:10, 60:16, 106:2 things 23:21, 26:8, 62:15, 81:5 think 9:24, 14:3, 20:13, 21:21, 21:24, 23:13, 23:22, 39:15, 39:17, 51:3, 56:25, 60:14, 61:15, 64:1, 66:12, 66:17, 67:3, 67:15, 70:8, 80:13, 107:12, 108:24, 109:14, 110:23, 111:11, 111:20, 112:1, 112:16, 114:11, 116:23 third 51:21 thorough 58:19, 75:10, 115:19
---	--	---	---

<p>thought 40:24, 61:16 thoughtful 114:7 thoughtfully-des- igned 77:2, 78:10 three 19:1, 34:9, 44:24, 45:6, 47:17, 47:19, 51:24, 63:11, 82:20, 83:1, 90:24, 96:5, 102:6 three-bedroom 63:13 three-story 63:12 thrilled 23:19, 23:21 thrive 35:21, 38:3, 45:18, 53:16, 66:1, 69:21, 69:23 thriving 85:7 through 15:19, 16:8, 16:18, 16:22, 17:3, 18:8, 26:7, 27:9, 27:11, 29:17, 40:19, 40:22, 40:23, 41:1, 41:4, 45:2, 48:12, 48:17, 49:14, 52:2, 56:15, 60:15, 61:1, 61:2, 62:12, 62:14, 83:5, 83:17, 84:1, 86:25, 98:17, 98:21, 111:1, 113:4 throughout 78:11, 82:12,</p>	<p>84:13 thursday 1:12 time 22:8, 24:14, 26:3, 30:18, 31:16, 53:9, 61:12, 81:14, 84:20, 85:13, 88:18, 94:2, 94:9, 96:16, 97:11, 98:6, 115:11, 115:19 title 43:7, 81:20 today 9:23, 10:16, 10:20, 26:7, 56:12, 72:13, 73:21, 85:12, 89:20, 96:12, 100:20, 102:1, 104:17, 105:3, 114:1, 114:5 today's 79:1 together 21:6, 62:18, 74:9 took 8:14, 14:1, 21:7, 25:3, 50:20, 101:8 top 84:6, 110:2 topography 31:13, 34:16, 34:17, 38:18, 42:23 total 34:1 totally 13:15 touch 103:25 touched 35:13 toward 14:6</p>	<p>towards 32:17, 32:21, 32:24, 34:13, 35:1, 36:15, 48:19, 58:25 townhome 36:14, 42:20, 57:10 townhomes 33:13, 35:25, 37:23, 37:24, 38:10, 39:7, 41:21, 45:23, 50:4, 52:17, 57:9, 59:3, 60:3, 63:13, 63:18, 67:23, 67:24, 78:15, 81:13, 82:3, 82:8 townhouse 25:2, 37:10, 81:22 townhouses 52:16, 57:4, 94:24, 95:10, 109:19, 110:14, 113:15 track 14:19, 15:16 tracks 33:20 traditionally 103:6 traffic 3:17, 6:9, 11:2, 11:3, 17:23, 72:7, 72:16, 72:18, 98:24, 99:15, 99:18, 100:9, 100:13, 101:22, 102:19, 103:6, 104:12, 104:19, 104:20, 104:22, 104:25, 106:12, 106:18, 106:22, 107:2, 107:4,</p>	<p>107:7, 109:4, 112:25 transcribed 1:25 transcriber 118:1 transcript 114:13, 116:3, 118:3, 118:5 transcriptionist 117:7, 118:14 transform 77:1 transforming 70:3 transit 49:14, 69:13, 81:7, 101:10, 103:11, 105:2, 108:2 transition 41:15, 56:5 transmittal 5:22, 25:19, 113:3, 115:5 transportation 11:4, 47:9, 101:6, 101:21, 102:10, 102:13, 102:16, 103:3, 103:5, 103:8, 103:23, 104:3, 105:22, 105:24, 106:3, 106:4, 107:14, 107:19, 109:1 traverse 34:3, 41:3, 84:12 treat 35:23, 36:7, 95:2 treating 41:6 tree 5:19, 21:9, 21:10, 21:12, 21:13, 21:18,</p>
--	--	--	---

72:4 trees 69:1, 69:5, 71:13 trend 79:19, 80:2 trends 49:2 tri 1:7, 3:14, 7:8, 10:19, 10:20, 76:11, 76:22, 77:20, 77:22, 78:1, 78:5, 84:21 trial 11:15 trip 103:25, 104:14, 104:15, 106:1 trip-generation 105:18 trips 49:18, 103:14, 103:19, 103:21, 103:22, 104:21, 104:24, 105:13 trucks 91:20 true 117:9, 118:5 truly 113:19 try 20:3 trying 23:15, 57:20 tuned 64:1 turn 8:2, 10:9, 13:3, 55:11, 75:3, 85:15, 98:23, 109:8 turning 10:12 turns 8:1	two 34:1, 34:9, 46:22, 49:21, 57:20, 63:10, 64:7, 69:14, 81:23, 82:1, 82:2, 82:16, 83:20, 83:21, 84:6, 90:13, 93:23, 93:25, 95:17, 95:18, 96:12, 99:25, 100:4, 103:3 two-car 83:19 two-hour 98:16 two-over-two 83:8 two-story 33:10 two-unit 25:3, 37:25, 38:11, 42:20, 45:24, 59:4, 60:1, 63:18, 63:20, 81:13, 82:8, 83:3, 94:24, 95:15, 113:15 type 50:2 types 39:15, 45:16, 45:22, 46:5, 49:22, 50:1, 70:11, 81:10, 82:5, 87:2, 95:8 typewriting 117:7 typical 34:12, 36:3 typically 9:19, 45:23, 72:16 <hr/> U <hr/> unanimously 25:10	under 12:13, 13:7, 28:20, 46:21, 48:21, 51:24, 58:8, 65:6, 72:9, 72:23, 101:3, 101:5, 101:7, 103:2, 104:2, 105:22, 105:25, 106:2, 106:20, 107:5 underground 96:6 underscore 114:2 underscores 80:23 understand 13:24, 16:1, 83:16, 110:11 understanding 14:4, 95:23, 97:4, 109:21 understood 13:16, 20:17 underutilized 49:6, 71:17, 77:1 unit 46:9, 63:9, 63:10, 64:7, 82:16, 83:10, 83:11, 83:20, 83:21, 84:1, 113:14 united 78:3 units 8:19, 39:10, 39:13, 39:16, 39:24, 39:25, 46:11, 46:14, 46:16, 50:5, 60:8, 62:10, 63:20, 79:13, 83:23, 84:3, 85:4, 104:18, 113:17	university 77:18, 87:10 unless 98:12, 105:18, 109:12 unlocked 20:11 up-to-date 13:12 upgraded 107:21 upgrades 47:6, 107:22 urban 28:24, 29:14, 30:4, 50:19, 65:24, 80:3, 81:6, 87:4 urgent 79:15 use 7:24, 48:22, 48:24, 49:21, 50:13, 54:6, 61:9, 66:10, 71:16, 92:1, 92:14, 101:17, 104:4, 104:6, 104:14, 104:16, 104:25, 107:8, 113:19 users 105:2 uses 35:16, 36:4, 40:15, 41:16, 41:17, 46:24, 49:22, 52:3, 55:20, 72:1, 113:23 using 92:13, 96:6 utilities 92:8, 92:16 utility 5:26, 17:19, 92:22 utilization 67:2
---	---	--	---

utilize 47:4	vibrant 77:2, 78:15, 80:4	72:4	26:13, 26:22, 26:23, 36:6, 49:18, 57:11, 62:19, 63:21, 64:9, 72:17, 97:11, 110:22, 112:18, 116:7
v	vice 86:7, 87:21	want 11:9, 11:18, 12:12, 13:5, 17:12, 19:17, 21:17, 22:7, 23:9, 23:17, 28:18, 37:25, 41:23, 54:24, 65:18, 67:14, 67:19, 67:22, 103:25, 105:18, 109:3, 111:2	we're 7:14, 14:3, 14:25, 20:18, 22:9, 23:19, 23:21, 23:24, 24:6, 24:19, 26:24, 27:8, 27:10, 37:1, 41:6, 41:11, 44:3, 46:12, 50:9, 51:1, 52:10, 52:12, 52:18, 52:20, 53:6, 53:13, 53:14, 53:19, 55:11, 56:16, 57:20, 59:21, 62:6, 62:14, 63:6, 63:7, 63:25, 66:12, 66:14, 66:25, 67:3, 67:9, 68:7, 68:11, 68:20, 69:8, 69:12, 70:5, 71:12, 81:4, 94:15, 95:19, 95:24, 96:21, 98:12, 98:22, 99:19, 110:8, 110:17, 110:23, 114:11, 115:16
vacancies 35:4, 56:23, 66:24	vicinity 36:18	wanted 19:11, 20:18, 22:10, 23:3, 54:16, 74:15, 83:4, 109:17	we've 26:24, 38:9, 38:10, 51:3, 78:13, 92:21, 93:5, 94:2, 104:16
vacant 35:3	view 48:8, 58:17	warehouse 32:17, 32:18	website 14:9
variance 5:19, 21:9, 21:10, 21:12, 21:13, 21:19	vika 3:13, 3:15, 3:16, 10:25, 29:8, 29:12, 29:15, 29:19, 29:20, 74:21, 86:8, 86:15, 86:16, 86:17, 86:18, 87:17	warehouses 32:22	week 13:7
variety 24:22, 46:4, 67:13, 70:10, 113:14	vince 3:6, 10:17, 75:3, 75:14, 98:24, 109:10	warm 82:11	
various 49:22, 55:20, 56:16	virginia 78:11, 78:19, 83:14	washington 78:6, 78:12, 79:10, 92:19	
vast 96:11	virtual 14:8	water 47:4, 84:11, 92:8, 92:10, 92:21, 95:2, 95:16, 95:18, 96:8, 96:10	
vaults 96:6	vision 67:4	waterways 71:11	
vegetation 34:25	visited 31:12	way 23:24, 24:16, 32:9, 33:10, 38:18, 38:21, 39:1, 40:25, 67:9, 69:9, 71:15, 86:25, 91:7, 102:8, 107:23	
vehicle 108:20	volume 72:8, 106:19, 106:20	ways 25:14, 41:3, 48:16, 56:25	
vehicles 61:4, 101:9, 101:23, 103:10, 105:1, 107:18	voluntarily 25:22	we'll 12:21, 22:13,	
vehicular 49:17, 90:19, 90:25, 91:6, 92:4, 102:1, 102:7, 102:25	voted 25:10		
verbatim 27:15	w		
version 20:7, 46:18, 116:13	walk 40:23, 45:1, 83:24		
versions 22:2	walk-in 84:10		
versus 112:14	walkability 53:17, 66:15		
vertically 84:13	walkable 37:21, 56:9,		

Transcript of Hearing
Conducted on February 6, 2025

68

<p>weekends 9:23 welcome 12:22, 93:16, 98:10 west 33:21, 33:22, 33:23, 69:15, 91:3, 91:11, 93:25 whatever 94:11 whenever 18:14, 27:16 whereupon 7:2 whether 20:14, 21:17, 21:20 whole 9:11, 54:12, 69:18, 105:15, 105:17, 107:22 wide 45:22, 50:1, 70:10, 78:14 widened 107:21 wider 46:4 willingness 114:3 winchester 77:23, 78:1 windows 53:6 wisconsin 3:8 wishes 10:6 within 9:17, 10:3, 42:8, 42:9, 47:20, 48:7, 56:4, 59:16, 69:18, 78:6, 80:1, 89:12, 91:17, 91:22,</p>	<p>110:4, 113:17, 116:22 witness 27:3, 27:7, 27:21, 28:14, 28:22, 32:1, 60:25, 61:20, 62:1, 62:5, 74:20, 74:24, 75:1, 75:17, 75:25, 85:16, 85:18, 85:21, 88:17, 89:1, 93:14, 95:7, 97:10, 98:9, 98:12, 99:2, 99:5, 99:18, 99:24, 104:9, 105:8, 105:11, 105:15, 108:22, 108:24, 109:7 witnesses 4:6, 11:5, 12:12, 12:17, 12:23, 23:18, 26:7, 26:24, 75:2, 102:5, 107:11, 109:11, 112:19, 112:23, 117:4 words 104:24 work 56:24, 60:10, 76:24, 78:19, 94:3, 114:4 worked 25:6, 39:22, 40:17, 54:23 working 51:4, 54:14, 76:23, 87:7, 92:22 works 91:17 worry 19:24, 20:12 worth 71:3</p>	<p>wouldn't 19:24, 20:12 wraps 32:9 write 105:4 writing 105:5, 115:21 written 10:5, 101:15 wrong 8:15 wrote 74:1</p> <hr/> <p>Y</p> <hr/> <p>yeah 15:10, 23:2, 29:14, 35:17, 41:18, 54:7, 62:3, 64:7, 64:15, 71:24, 91:18, 93:5, 95:7, 95:13, 97:9, 105:15, 110:6, 110:16 year 25:20, 29:20, 76:22, 100:1 years 28:5, 28:22, 30:4, 76:16, 77:25, 86:14, 86:16, 86:24, 88:20, 100:3 yellow 105:12, 105:21 yourself 10:10</p> <hr/> <p>Z</p> <hr/> <p>zero 37:5 zip 29:11 zone 6:17, 8:11, 8:13, 8:18,</p>	<p>17:5, 17:9, 26:13, 33:1, 37:11, 37:15, 44:7, 44:18, 45:5, 47:23, 49:6, 49:15, 51:20, 54:7, 54:8, 54:12, 55:12, 55:17, 55:24, 57:24, 58:1, 58:3, 58:6, 58:8, 58:21, 59:6, 61:24, 62:18, 64:17, 64:24, 65:10, 65:15, 70:14, 70:19, 70:20, 71:19, 72:7, 72:22, 72:23, 72:25, 73:4, 73:5, 73:7, 73:12, 73:19, 90:12, 90:15, 97:17, 106:18, 109:22, 111:3 zoned 33:15, 33:16, 52:8 zones 48:20, 58:4, 58:9, 71:2 zoning 1:1, 2:5, 5:11, 9:14, 9:16, 24:19, 29:24, 32:19, 32:23, 36:17, 36:21, 36:25, 37:2, 38:22, 42:3, 44:5, 44:10, 44:16, 45:1, 45:7, 55:10, 55:13, 57:25, 64:23, 68:20, 70:22, 87:24, 88:3, 97:18, 100:15, 102:15,</p>
---	---	---	--

Transcript of Hearing
Conducted on February 6, 2025

69

113:6, 113:8 zoom 3:18, 7:12, 7:13, 7:15, 7:16, 7:18, 8:25 <hr/> . <hr/> .1 9:15, 49:5, 65:4, 65:9, 70:13, 70:18, 71:18, 72:6, 72:24, 73:9, 106:17, 107:6 .2 44:17, 44:25, 45:2, 46:22, 48:21, 51:22, 55:13, 63:6, 65:9, 70:13, 70:18, 71:18, 72:6, 72:24, 73:9, 106:17, 107:6 .3 57:25 .4 63:6, 63:17 <hr/> 0 <hr/> 0.0 8:13 0250010 115:12 <hr/> 1 <hr/> 1 116:25 1.25 8:13, 37:4, 37:5, 39:15 10 9:20, 10:3, 22:13, 25:24, 34:24, 57:14, 58:23, 59:2, 59:21, 59:22, 63:20, 100:1,	111:25, 115:25, 116:6 100 2:7 11 1:13, 22:1, 22:6, 22:21, 23:1, 23:8 110 4:20 116 5:6, 5:7, 5:8, 5:9, 5:10, 5:11, 5:12, 5:13, 5:14, 5:15, 5:16, 5:17, 5:18, 5:19, 5:20, 5:21, 5:22, 5:23, 5:24, 5:25, 5:26, 5:27, 6:4, 6:5, 6:6, 6:8, 6:9, 6:10, 6:11, 6:12, 6:14, 6:16, 6:17 118 1:24 12.5 46:12 12.72 24:11, 32:12 12435 7:10, 76:12 13 56:9 13.86 24:9, 24:12, 32:11 15 46:13, 46:16, 46:17, 85:3, 88:19, 99:25, 113:16 156 1:7, 7:7, 30:25, 100:20 16 5:14, 9:25,	116:1 168 104:23 17 22:1, 22:6, 22:21, 23:1, 23:8, 118:15 180,000 104:5, 104:15 19 5:15, 25:12, 73:24, 86:16 <hr/> 2 <hr/> 2.5 8:11, 32:19, 32:20, 32:23, 33:2, 36:24 20 5:16, 34:21, 96:17 200 2:9, 33:15 2006 43:5, 43:8, 89:13 2014 78:2 2021 26:17, 38:5, 43:4, 43:6, 43:9, 53:23, 53:24, 65:19, 69:20, 89:14, 113:10 2024 25:12, 25:25 2025 1:12, 118:15 20250010 115:9 20251 29:9, 87:19 2030 79:14 2050 35:21, 38:3, 45:18, 53:16,	66:2 206 104:21 20814 3:9 20850 2:10 20854 7:11, 76:13 21 5:17 210 8:19, 25:2, 39:12, 46:11, 46:13, 104:18 22874 29:10 23 4:4 24 5:19, 21:8, 99:25, 100:1 25 5:20, 15:18, 15:20, 16:5, 16:11, 28:5, 28:22, 30:3, 64:8, 64:10 27 5:21, 21:16, 44:1, 86:14, 86:23 27721 87:14 28 4:8, 5:22, 25:19, 44:1 29 5:23 <hr/> 3 <hr/> 30 1:13, 5:24, 30:17, 89:4, 89:5, 110:4 301 3:10 31 15:19, 16:18,
--	---	--	--

Transcript of Hearing
Conducted on February 6, 2025

70

16:21, 17:4, 18:5, 18:10, 37:14, 40:7, 47:25, 48:1, 90:12, 90:21, 111:4, 111:5, 111:12, 111:17, 112:13, 112:14, 116:9, 116:11, 116:14 32 5:25, 17:17, 18:8, 46:14, 62:2, 62:4 33 5:26, 17:18 34 5:27, 16:22, 17:19 35 6:4, 17:20, 59:19, 68:4 355 33:23, 69:15 36 6:5, 17:21 37 6:6, 17:22, 22:5, 23:2, 93:11, 93:17, 116:25 38 6:7, 17:22 3845 3:10 39 6:9, 17:23, 72:21, 104:8, 104:12, 105:10, 105:13, 106:7, 106:8, 107:1 3d 83:12 <hr/> <p style="text-align: center;">4</p> <hr/> 4.5 49:5 40 6:10, 17:24,	77:25 400 87:20 41 6:11, 17:24 42 6:12, 17:25, 31:17 43 6:13, 16:3, 16:13, 18:1, 81:15, 81:19, 81:20, 82:2 44 6:15, 15:19, 16:18, 18:2, 18:8 45 6:17, 9:17, 9:22, 116:22 49 59:9 <hr/> <p style="text-align: center;">5</p> <hr/> 5.1 44:17, 44:25, 45:2, 46:22, 48:21, 51:22, 57:25 5.3 55:13 50 32:20, 32:24, 36:24, 42:17, 42:21, 52:9, 52:10, 59:7, 91:22, 103:13, 103:18, 103:21, 105:23, 106:1 500 32:4 51 59:9 55,000 59:23 554,000 59:22 556425 1:23	59 9:15, 44:17, 65:4, 70:13, 70:18, 71:18, 72:6, 72:24, 73:9 59.1 63:6 <hr/> <p style="text-align: center;">6</p> <hr/> 6.2 63:17 60 8:13, 37:6, 42:19, 42:22, 52:8, 52:10 600 7:10, 34:11, 76:13 <hr/> <p style="text-align: center;">7</p> <hr/> 7.2 9:15, 65:4, 65:9, 70:13, 70:18, 71:18, 72:6, 72:24, 73:9, 106:17, 107:6 70 33:2, 42:18 700 3:8 75,000 79:13 7501 8:8 7515 8:8 7519 8:9 7529 8:9 76 4:11 7600 3:8 7609 8:10	7623 8:10 <hr/> <p style="text-align: center;">8</p> <hr/> 80 42:18, 52:7 841 3:10 86 4:14 <hr/> <p style="text-align: center;">9</p> <hr/> 90 33:16 99 4:17
--	--	--	---