

BEFORE THE HEARING EXAMINER FOR MONTGOMERY COUNTY, MARYLAND

Office of Zoning and Administrative Hearings
Stella Werner County Council Office Building
100 Maryland Avenue, Room 200
Rockville, Maryland 20850

IN THE MATTER OF THE PETITION OF:)
)
KOREAN COMMUNITY SERVICE CENTER) Conditional Use (Major Amendment)
OF GREATER WASHINGTON, INC. FOR) Case No. CU 26-01,
MAJOR AMENDMENT TO PRIVATE CLUB,) Amending Case No. 17-12
SERVICE ORGANIZATION CONDITIONAL)
USE IN THE R-60 ZONE)
)
Applicant)
)
)
)
)
Soo Lee-Cho, Esq. and)
William Rogers, Esq.)
Bregman, Berbert, Schwartz & Gilday, LLC)
Attorneys for the Applicant)

APPLICANT'S PRE-HEARING SUBMISSION

In accordance with Section 3.4 of the Rules of Procedure of the Office of Zoning and Administrative Hearings, this Pre-Hearing Submission is submitted on behalf of the Applicant, Korean Community Service Center of Greater Washington, Inc. ("KCSC" or "Applicant") in this matter, which seeks a major amendment of its conditional use approval to allow use/occupancy of the first and second floors of KCSC's existing location at 700 Buckingham Drive, Silver Spring, MD ("Property"), previously approved for private club, service organization use pursuant to Section 59-3.4.8. of the Zoning Ordinance.

The Applicant is a non-profit organization that provides comprehensive services to Korean-American community, both citizens and recent immigrants, residing in the Washington DC area. KCSC provides a variety of services in the fields of health, immigration, elder care, and family support programs. Cultural and linguistic programs to help address language barriers in housing, job placement, and other social programs are also offered. KCSC headquarters is in Annandale, Virginia, with four (4) branch offices (inclusive of the subject site) located in suburban Maryland.

The Applicant was granted approval to occupy the basement level of the former single-family residence in CU 17-12, which KCSC now seeks to amend to facilitate occupancy of the remainder of the structure. This amendment application also proposes to make alterations to the surface parking area to provide additional spaces to meet the minimum off-street parking and landscaping requirements of Sections 59-6.2.4. and 59-6.2.9.C. of the Zoning Ordinance.

The subject Property is designated as Parcel P328 on Tax Map JP61, situated on the northeast corner of University Blvd. East and Buckingham Drive. The Property consists of 0.588 acres or 25,602 square feet (as surveyed) of land in the R-60 zoning classification.

I. Statement of Grounds in Support of the Application

- A. The proposal conforms with the applicable requirements of the Zoning Ordinance for the conditional use, in particular Section 59-3.4.8, Private Club, Service Organization.
- B. The proposal conforms with the recommendations, goals and objectives of the applicable master plan, i.e., East Silver Spring Master Plan.
- C. The proposal is harmonious with and will not alter the character of the surrounding neighborhood.
- D. The proposal will not increase the number, intensity or scope of conditional uses sufficiently to affect the area adversely or alter the predominantly residential nature of the area.
- E. The proposal will be served by adequate public services and facilities, as applicable, including fire protection and public roads.
- F. The proposal will not cause undue harm to the neighborhood as a result of a non-inherent adverse effect alone, or the combination of an inherent and a non-inherent adverse effect in any of the following categories:
 - 1. the use, peaceful enjoyment, economic value or development potential of abutting and confronting properties or the general neighborhood; or
 - 2. traffic, noise, odors, dust, illumination, or a lack of parking; or
 - 3. the health, safety, or welfare of neighboring residents, visitors, or employees.

II. Reports – The Applicant intends to rely on the following reports to be included in the record of this case:

- A. Montgomery County Planning Department Staff Report and Recommendation
- B. Updated application materials submitted with this Pre-Hearing Submission as follows:
 1. Applicant's Statement of Justification and Summary of Proof – UPDATED December 23, 2025, v3
 2. Traffic Statement – UPDATED December 19, 2025
 3. Transportation Adequacy Form – UPDATED December 19, 2025

III. Experts - The Applicant intends to present the following expert witnesses:

- **Patrick G. La Vay**, PE, Professional Engineer, Land Planning and Project Management Expert in Maryland, Virginia and Washington, DC (President of Macris, Hendricks & Glascock), will testify regarding the existing conditions on the Subject Property and in the surrounding neighborhood, the Site Plan, substantial compliance with the Master Plan, consistency with the Code, compatibility with the surrounding area as well as the project's exemption from stormwater management, sediment erosion control and forest conservation requirements, and other technical regulatory matters.
- **C. Nick Driban**, PE, PTOE, Professional Engineer, Traffic Operations Engineer (Lenhart Traffic Consulting, Inc.), will testify regarding the project's trip generation analysis as summarized in the Traffic Statement submitted in support of the subject Application.

Resumes for the expert witnesses identified above are attached as Exhibit A to Applicant's Statement of Justification and Summary of Proof.

IV. Witnesses – The Applicant intends to present the following lay witness:

- Ji-Young Cho, Ph.D., Executive Director, KCSC of Greater Washington

V. Estimated Time for Presentation - The Applicant estimates that presentation of its case in chief will require approximately 2 hours.

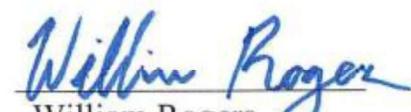
VI. Reservation of Right to Supplement - This submission is intended to satisfy the requirements of the Code and the OZAH Zoning Rules of Procedure, Council Resolution 18-780. If amended or supplemental information becomes necessary to support the present application, the Applicant will make a supplemental submission in a timely fashion.

Respectfully submitted,

BREGMAN, BERBERT, SCHWARTZ & GILDAY, LLC



Soo Lee-Cho



William Rogers

7315 Wisconsin Avenue, Ste. 800 West
Bethesda, MD 20814
301-656-2707

Attorneys for the Applicant