

MAYOR AND COUNCIL OF ROCKVILLE

ROCKVILLE, MARYLAND

MEETING NO. 25-21

AGENDA ITEM NO. 10

PUBLIC HEARING ON 2040 PLAN - EAST ROCKVILLE

Monday, June 14, 2021

1 PARTICIPANTS:

2 Mayor and Council:

3 BRIDGET DONNELL NEWTON, Mayor

4 MONIQUE ASHTON, Councilmember

5 BERYL L. FEINBERG, Councilmember

6 DAVID MYLES, Councilmember

7 MARK PIERZCHALA, Councilmember

8 Staff:

9 CYNTHIA WALTERS, Acting City Attorney

10 ROBERT DiSPIRITO, City Manager

11 SARA TAYLOR-FERRELL, City Clerk/Director
12 of Council Operations

13 Speakers:

14 BARBARA A. SEARS

15 STEVEN VANGRACK

16 PATRICIA HARRIS

17 CHRISTINE MCGUIRL

18 PAVITRA SRINIVASAN

19 SUZAN PITMAN

20 SOO LEE-CHO

21 JOEY DOLEIMAN

22 BOB YOUNGENTOB

1 P R O C E E D I N G S

2 MS. WALTERS: There is a letter to you
3 from Woodmont's current president. "Until Wootton
4 Parkway was built, the Wootton parcel was 27
5 acres, more or less, landlocked in the rear of the
6 Club, accessible only by the Pike, and by hiking
7 in 3/4 of a mile. Upon completion of the Parkway,
8 the Wootton parcel was given direct frontage; no
9 longer landlocked and now with development
10 potential."

11 Key point: the City deemed the Wootton
12 parcel developable and especially benefited by its
13 frontage on the Parkway. Therefore, the City
14 specially assessed the Club \$1.8 million, which
15 the Club paid in 1998 less \$350,000.00, wage and
16 compromise. Recently, the Club requested the
17 staff designate the Wootton Parcel as RMD-25,
18 Residential Medium Density, as part of the 2040
19 Plan. The staff was supportive, but the
20 Commission denied. As to Commission concerns,
21 please consider the site plan approval process
22 allows this Commission to require all present and

1 future concerns be adequately addressed.

2 Potential benefits to the City are, needed park
3 dedication, affordable housing, additional tax
4 revenue.

5 Woodmont's key question is, what special
6 benefit does the Club receive for the \$1.8 million
7 assessment, if it is denied RMD-25 zoning with
8 controlled access and it cannot develop? If none,
9 why was the Club specially assessed? Landlocked
10 before the assessment; landlocked after.

11 Accordingly, the Club respectfully urges
12 the Council adopt the initial recommendation of
13 staff and designate and zone the Wootton parcel
14 RMD-25 and further the 2040 plan. Hopefully not,
15 but the future of Woodmont could necessitate a
16 sale of the Wootton parcel to provide capital to
17 maintain the Club's existence through the
18 unforeseen economic conditions. Please consider
19 the demise of Montgomery Village, Indian Springs,
20 Redgate, and other golf clubs to understand
21 Woodmont's concerns to assure its perpetual
22 existence.

1 Thank you for your time and service and
2 that would include the staff and the Commission.

3 MAYOR NEWTON: Thank you very much. Ms.
4 Sears, are you on the line?

5 MS. SEARS: Yes. Okay, I'm here. I
6 apologize. I just left the room for a second and
7 there you where, so I'm ready to go. Sorry about
8 that. Good evening. My name is Barbara Sears
9 with Miles and Stockbridge in Rockville, speaking
10 on behalf of Woodmont Country Club. Woodmont has
11 no plans to redevelop the Club in the foreseeable
12 future. However, as a major landowner in the
13 City, Woodmont has actively participated in master
14 plans that impact the property. Our letter of
15 April 9 addresses several requests. I will
16 highlight six of these.

17 First of all, as a golf course the plan
18 calls for multiple layers of process if the
19 property redevelops. These include - 1.
20 approval of a concept plan, 2. an amendment to
21 the 2040 plan, and 3. rezoning. Only after
22 these steps, which would likely take many years,

1 would to owner be eligible to file a plan under
2 the normal entitlements process. These three
3 steps may be consolidated into one step.

4 Different than the other golf course in the City,
5 Woodmont has been the subject of substantial
6 planning analysis through the 2002 Comp Plan, the
7 Pike Plan, and now the 2040 Plan. The draft plan
8 recommends that the City create a new PD zone.
9 Woodmont requested the plans state that the PD
10 zone is suitable for the Woodmont property in the
11 event the Club redevelops. The PD zone would
12 allow the same comprehensive planning goals
13 desired by the multiple steps currently in the
14 draft plan to be accomplished by requiring a
15 comprehensive development plan at the time of
16 rezoning and providing opportunities for public
17 input.

18 Second, all references to park land on
19 the property should state the need for an
20 appropriate size and location of any parkland will
21 be determined during the development plan review
22 process if the property redevelops. Figure 77

1 should not show an asterisk locating a potential
2 public park on the property. As an ongoing
3 country club, it is unfair to have a potential
4 park highlighted on the property.

5 Third, the plan recommends that tree
6 (inaudible) be preserved, and being preserved on
7 the property to the greatest extent possible. We
8 have suggested what we believe to be more
9 appropriate language in our letter.

10 Fourth, the plan recommends
11 consideration of inclusion of a large field
12 community amenity such as educational sports or
13 cultural facilities in any master plan for the
14 property. We request this recommendation be
15 removed as it is far too speculative and impactful
16 on Woodmont's private property rights.

17 Fifth, Woodmont has continuously
18 preserved the Lynnedane- Bradley House. Request
19 the plan language be slightly modified to add the
20 word "appropriately" for the references to
21 environmental setting.

22 Finally, we believe the Wootton park

1 property is separate and distinct from the larger
2 club and should be rezoned to RMD-25. Note this
3 is a correction to the reference of RMD-15 in our
4 letters. And Mr. Isaacson has kindly separately
5 addressed this request with the Mayor and Council.
6 So, that concludes my fast rewritten -- fastly
7 stated testimony, but I thank you all very much
8 for all the hard work that you have done and the
9 staff and the, obviously the planning commission
10 in this product but we would appreciate your
11 consideration of our points.

12 MAYOR NEWTON: Thank you Ms. Sears.
13 Next up is Steven VanGrack. Welcome Mr. Van
14 Grack.

15 MR. VAN GRACK: I think I'm unmuted.
16 Can you hear me?

17 MAYOR NEWTON: Yes, Sir.

18 MR. VAN GRACK: You can hear me? Can
19 you hear me?

20 MAYOR NEWTON: Yes, Sir.

21 MR. VAN GRACK: Okay. I'm sorry. It's
22 nice to know I'm not speaking to myself. Good

1 evening, Madam Mayor, members of the Council. I'm
2 Steve Van Grack and I'm just speaking to you
3 briefly tonight concerning a property at 110 North
4 Washington Street, owned by Rockville Associates.
5 I've appeared before you before and you all know
6 this is a five-story office building on the west
7 side of North Washington Street, just north of
8 West Middle Lane.

9 Everyone believes it is in the best
10 interest of the Rockville Town Center to encourage
11 and enhance the transition of office buildings to
12 residential homes and it appear to be what the
13 Mayor and Council and everybody -- that's the
14 direction they are headed in.

15 The Urban Land Institute report,
16 Community Planning Development staff, Planning
17 Commission all agree this mixed- use corridor
18 district zoning is really good for everyone. The
19 only item that I want to put in the back of your
20 minds at this time, is that the frontage of the
21 property west of North Washington Street is to be
22 75 feet and it's to decline with the layback slope

1 to 45 feet in the back. And the reason for that
2 suggestion is because the impact that it may on
3 residential properties.

4 Well, the building at 110 North
5 Washington Street is the only one directly on
6 North Washington Street where the back does not
7 back up to residential. It backs up to other
8 office buildings. In fact, there are seven of
9 them; three of which are vacant at this time.

10 At a later time, not here and now, the
11 request will be made, assuming that the City
12 adopts the current zoning of the MXCD, to have the
13 rear of this property at the full 75 feet in
14 return for a promise from the property owner to
15 provide additional public parking underneath. I
16 hope I've made it clear what I'm trying to convey,
17 and I thank you for the time.

18 MAYOR NEWTON: Thank you Mr. VanGrack.
19 Next up is Patricia Harris. Welcome Ms. Harris.

20 MS. HARRIS: Hey hey, Mayor and Council.
21 Pat Harris on behalf of (inaudible) Homes, the
22 contract purchaser of 5906 Halpine Road in

1 Twinbrook. We testified back in April and as you
2 may recall, at that point, we indicated that the
3 existing church on the property is downsizing and
4 relocating, and that provides an opportunity to
5 turn the site, which is within a stone's throw of
6 the Twin Brook metro station into needed housing.

7 This is consistent with smart growth
8 principles, with COGs projections, and also with
9 (inaudible) zone commitment to increase housing
10 within the City. You may recall that our initial
11 proposal was for a multifamily project with an
12 initial height of 65 feet and 64 units. We
13 continue to believe this is an appropriate product
14 for the site and that it's needed density near a
15 metro. It's a building type that provides an
16 appropriate transition. There's an opportunity
17 for NPDUs and it provides housing diversity as
18 well as attractive to empty nesters so there's no
19 real school issue.

20 At the same time, however, based on our
21 conversations and meetings with our neighbors,
22 Cambridge Walk, and our meeting with the Mayor, we

1 recognize that there are concerns regarding this
2 program. And in an effort to be responsive and be
3 a good neighbor, and at the same time to still
4 include some housing in the metro, what we are
5 proposing is a different kind of product which is
6 what's called a "two-over-two." That is, if you
7 can imagine two sticks of rows of townhouses which
8 each unit of townhouse really being two units, so
9 you have one on the first and second floor; you
10 have one unit and on top of that you have the
11 second unit.

12 What this product does -- it is provides
13 significantly less density; forty percent less
14 than the other product. That's 38 units instead
15 of 64 units and a reduction in height from 65 feet
16 to 45 feet. So, we think that this is a very
17 appropriate transition down from the more intense
18 development approved on the metro station to this
19 site which is adjacent to town homes and across
20 the street from single family.

21 We've submitted a letter to the record,
22 but as we've indicated, the two-over-two concept,

1 I don't think was contemplated when the zoning
2 ordinance was written and it really doesn't fit
3 squarely within any of your zones. It fits most
4 closely within the MXNC zone, but even within that
5 zone the application of the lay back would require
6 a 78-foot setback from the property line and this
7 seems like it wasn't even thought out including an
8 unintended consequence.

9 So, and then in addition, what we
10 propose, in terms of setbacks, is a side setback
11 of 25 feet, which is very comparable in some of
12 your other zones where height doesn't exceed 45
13 feet. So, as we've requested in our letter, if
14 you are supportive of this alternative concept,
15 we're hoping that there can be some kind of
16 language added into the sector plan recognizing
17 that when we get to the stage of the zoning text
18 amendment, there's going to need to be some
19 adjustments to accommodate this type of truly
20 transitional housing form. And we've provided
21 language in the -- in our letter of that specific
22 language but essentially what it says is, provide

1 for a 25-foot setback adjacent to residential land
2 when heights do not exceed 45 feet and eliminate
3 the layback requirements in these instances in
4 order to accommodate modest development in the
5 zone.

6 So, we are hoping that we can work, you
7 know, continue to work with the neighbors;
8 continue to work with the Mayor and Council, to
9 get a good product there that is appropriate, if
10 in fact, you believe that the product we initially
11 proposed doesn't seem to fit your vision and the
12 Comp Plan's vision.

13 So, thank you for your time and we look
14 forward to working with you and thank you for all
15 your efforts. Thank you.

16 MAYOR NEWTON: Thank you Ms. Harris.
17 Next up is Christine McGuirl. Welcome Ms.
18 McGuirl.

19 MS. MCGUIRL: Thank you. Good evening.
20 So, my name is Christin McGuirl. I'm the director
21 of development with Federal Realty Investment
22 Trust, owner of 12 North Washington Street. The

1 property is currently an existing shopping center
2 bordered by West Montgomery on the south and West
3 Middle Lane on the north. I did testify at the
4 April 12th hearing in support of staff and
5 planning commission's recommendation for 75-foot
6 heights along North Washington, stepping down to
7 45 feet to the west. I realize that Mayor and
8 Council spent a considerable amount of time
9 talking about the height issue at the last work
10 session. I believe it's important to bring to
11 your attention several items that were not
12 discussed and ask for your reconsideration of the
13 issue.

14 Most importantly, the property's current
15 zoning allows a height of 65 feet. Zoning code
16 section 25.13.05 B(2)(c) provides that 65 feet is
17 allowed if 15% open space is provided. So, the
18 recommendation that the property now be limited to
19 a maximum height of 45 feet down-zones our
20 property. In addition, we previously evaluated
21 redeveloping at 65 feet, and it was not
22 economically feasible. This is an

1 income-producing property and without the
2 assurance of a reasonable return, the property
3 will not redevelop, and the status quo will just
4 continue. This property will likely not redevelop
5 with townhomes.

6 I want to highlight a few aspects to
7 emphasize why we think the reconsideration of this
8 height issue is warranted.

9 First, the 30-degree layback slope
10 provides assurance that an appropriate transition
11 will be provided. Forty-five-foot heights could
12 only be achieved 78 feet from the western property
13 line with that layback slope. The full 75 feet
14 cannot be achieved until 130 feet from the western
15 property line.

16 Our property is more than one-third
17 deeper than any other property between West
18 Montgomery and Beall. Our site, at the deepest
19 point, is 300 feet, which is longer than a
20 football field. We are 94 feet deeper than other
21 sites, so there is definitely sufficient room to
22 provide the desired step-down and transition to

1 the west.

2 Given the varied ownerships along North
3 Washington Street, not every property will
4 redevelop at once. It typically doesn't work that
5 way so we will not have a wall of development on
6 the west side of North Washington. The height of
7 45 feet that is setback from the historic area of
8 North Adams, because of the layback slope, is
9 compatible and commonplace and does not threaten
10 the historic area. Throughout the country, there
11 are specifically designated historic sites
12 adjacent to taller buildings, so it is
13 commonplace.

14 The building directly across the street
15 from our property is 7 stories - likely 75 feet -
16 I don't have that exact height, but the effect, if
17 we were to develop would be very comparable to
18 that existing building.

19 One final point, the ULI report does
20 recommend that we build density in our town center
21 without compromising character, and I think
22 several of my points outlined achieve that goal.

1 And Planning Commission does have the authority
2 and ability to ensure compatible development
3 during the site plan approval process and other
4 assurance that the development is appropriately
5 stepped down as the concern is.

6 So, we will be submitting our written
7 testimony with exhibits to further explain our
8 justification for the proposed 75 feet height
9 along North Washington Street and I appreciate
10 your time tonight. Thank you so much.

11 MAYOR NEWTON: Thank you. Next up is
12 Ms. Pavitra Srinivasan, Chair of the Rockville
13 Environment Commission. Welcome.

14 MS. SRINIVASAN: Good evening Madam
15 Mayor and members of the Council. My name is
16 Pavitra Srinivasan. I'm a resident of Twin Brook.
17 I am a commissioner on the Environment Commission
18 and Chair of the Climate Action Committee which is
19 a sub-committee of the REC.

20 Today, on behalf of the Environment
21 Commission I offer the three following comments.
22 The strength in certain over- arching aspects of

1 the environment element in the 2040 draft
2 comprehensive for you to consider during your
3 review and final adoption of the plan.

4 First, assigned accountability for
5 overall goals and policies. The 2040 draft plan
6 appears somewhat ambiguous on who will be
7 responsible for ensuring each goal is met. An
8 action statement added to the plan, that
9 accountability will be assigned is valuable and
10 would ensure that the City has complete
11 transparency around achieving its stated goals.

12 Second, ensure each goal has measurable
13 and achievable targets for success. These include
14 things like setting measurable targets or
15 requirements of standards to be met; demonstrating
16 results and publicizing progress towards achieving
17 those goals; assessing results and progress
18 annually or periodically to determine if metrics
19 should be revised or how they may be improved
20 upon.

21 And finally, given the variable impacts
22 of climate change due to social, economic, and

1 other demographic factors, evaluating and
2 reporting progress by planning area. For example,
3 you might consider mapping activities to analyze
4 equity and access to green space, low emission
5 transit and energy options, well-lit streets, safe
6 walkable streets, food, and other services to name
7 a few.

8 Third, blend in resiliency language.
9 Infrastructure resiliency and social resiliency
10 are important considerations in combating climate
11 change. Instituting and updating planning and
12 building standards to protect our water supply,
13 power grid, and even buildings from flooding will
14 enhance the long-term value and sustainability of
15 our community. It may also be valuable to
16 consider such improvements for existing
17 residential and commercial buildings as well.

18 Equally important, is the social
19 resiliency, such as mental health, of a community
20 when subject to negative environmental impacts
21 repeatedly or in a sustained manner. In fact, the
22 COVID-19 pandemic has highlighted this issue

1 recently for all of us. Addressing the human
2 aspect of resiliency may include offering
3 community support services around extreme events
4 like hurricane or tornado damage or prolonged
5 electricity outages as well. Such extreme
6 conditions may, unfortunately, develop more
7 regularly in the future and given the twenty-year
8 planning horizon of the draft plan, may be worthy
9 of consideration from a long-term planning
10 perspective.

11 In conclusion, accountability, metrics,
12 targets, and ensuring resiliency of our city and
13 its residents are important elements of
14 responsiveness to our taxpayers. Strengthening
15 these aspects of the 2040 plan will ensure
16 Rockville's development over the next 20 years
17 takes place sustainably, allows us to measure
18 progress made, achieve goals, address equity
19 considerations, build a resilient community, and
20 help the City successfully meet its climate action
21 commitments.

22 We will be submitting these comments to

1 the written record. Thank you for the opportunity
2 to provide our comments and for your time in
3 considering them.

4 MAYOR NEWTON: Thank you very much. And
5 now it gets interesting because the list that I
6 have has one person next and thank goodness for
7 Ms. Dantzler because she is keeping track with me
8 and she has three others in line. So, bear with
9 me a minute. I'm going to go with the new list.
10 I believe the next is Susan Pitman. Welcome Ms.
11 Pitman.

12 MS. PITMAN: Good evening Mayor Newton
13 and City Council Members. I'm Susan Pitman and I
14 live at 722 Grandin Avenue. And although I'm here
15 as an individual tonight, I'm also the immediate
16 past president of the East Rockville Civic
17 Association and in the role of president and past
18 president, I've had the privilege of being deeply
19 engaged in the planning process since the 2040
20 kickoff meeting in 2015.

21 The length of this process has made it
22 difficult for residents to maintain consistent

1 involvement and as I've read the incoming
2 testimony submitted in writing in advance, I'm
3 increasingly concerned that the good hard work of
4 the residents and staff might be misunderstood or
5 even set aside.

6 To help clarify, in 2017, the planning
7 staff provided three workshops for East Rockville
8 - one on land use and one on zoning so we could
9 better understand the language of planning, and a
10 third on housing where we broke into groups and
11 engaged in a big dreams exercise that allowed us
12 to envision what our neighborhood could look like
13 if we made all the rules and owned all the
14 property. Those three workshops as well as the
15 many, many meetings that followed, were well
16 attended and it became clear through all these
17 discussions that a middle way, one with some
18 family, some single family attached housing, in
19 the form of duplexes, triplexes, and quads,
20 well-regulated ADUs and increased, but still
21 human- scale density along North Stone Street
22 would enhance our unique neighborhood.

1 It also became clear, as we worked
2 through the current plan from 2004, that we were
3 really looking at three plans - one for Stone
4 Street, one for design guidelines, and one for the
5 comprehensive master plan. Andrea Gillis, who has
6 been a transparent, honest, and highly valued
7 collaborator with our neighborhood, began to plan
8 for the plans right away and got all of us -
9 residents of both East Rockville and Lincoln Park,
10 the Mayor, Council, and planning staff, moving
11 through a thoughtful process that maximized
12 opportunity for engagement. There have been
13 dozens, if not hundreds of meetings, emails,
14 mailings, and opportunities to give input over the
15 years. At each meeting, Ms. Gillis carefully
16 clarified what plan was being discussed and how it
17 impacted the other two plans. That said, it's
18 still confusing, and I'm really glad Andrea is
19 hosting one last meeting for East Rockville later
20 this month to again clarify how these three plans
21 work together.

22 Six years after the kick-off of the

1 Rockville 2040 process, we now have three plans
2 that have the support of the majority of residents
3 in East Rockville, especially those who showed up
4 meeting after meeting. These plans complement one
5 another and can help to inform (inaudible) how the
6 residents of East Rockville see themselves and
7 their landscape should they decide to develop the
8 transit station property.

9 These three plans work together to
10 create a variety of housing opportunities while
11 preserving the things that so many of us in East
12 Rockville value - diversity, community, family in
13 all its forms, walkability, and the environment.
14 I wish I could say I made that list up myself, but
15 we did an almost year-long exercise in which we
16 opened each meeting with a post-it pad and worked
17 to define what we mean when we say 'character of a
18 neighborhood' as that term is subjective at best.
19 Although the 2040 plan, the Stone Street plan, and
20 the East Rockville Design guidelines were formed
21 by the residents, each had the benefit of multiple
22 passes through the planning commission and Mayor

1 and council, and the design guidelines greatly
2 benefited from an outside consultant.

3 The 2040 plan is one of a set of truly
4 community-based plans that recognize the
5 importance of retaining residents while welcoming
6 new neighbors. And it puts one foot on the path
7 of more equitable housing, even if a great deal
8 remains to be done to get us there. Clearly, we
9 have differences of opinion regarding housing
10 density in and around East Rockville. Personally,
11 I do not believe in zoning for single family
12 detached housing only, but that is not reflective
13 of how my neighbors feel and although housing is
14 essential, community, particularly listening to
15 one another and working together is more so.
16 We've got created three plans that help us grow
17 while maintaining a neighborhood where anyone
18 would love to live. None of us got everything we
19 wanted, but together we are making something
20 pretty terrific happen in East Rockville.

21 I strongly encourage you to pass the
22 2040 plan with the East Rockville planning area

1 chapter unaltered and allow the three plans to
2 work together as intended. Thanks very much for
3 your time tonight.

4 MAYOR NEWTON: Thank you. Next up is
5 Soo Lee-Cho. Welcome.

6 MS. CHO: Good evening, Mayor Newton and
7 members of the council. Thank you very much. This
8 evening I am speaking on behalf of CBT Associates.
9 For the record, Soo Lee-Cho, with Miller, Miller,
10 and Canby, located at 200-B Monroe Street.

11 CBT Associates owns two properties
12 located in the block bounded by East Jefferson
13 Street to the north, Fleet Street to the south,
14 Park Avenue to the east, and Monroe Street to the
15 west. It is part of Area 3 of the Rockville Town
16 Center planning area. The current draft of the
17 plan before the Mayor and council recommends a
18 land use designation for CBT properties of OCRM,
19 which is office/commercial/residential mix, which
20 CBT supports. We have -- initially the properties
21 were previously recommended for park designation
22 in earlier drafts, but we appreciate staff's

1 consideration and also the planning commission in
2 revising that designation for this sub- block
3 within Area 3. The park designation would have
4 resulted in an immediate devaluation of the
5 property so we appreciate the new land use
6 designation.

7 The current text now describes a
8 possible future park in this general area of the
9 city, either as a part of a redevelopment proposal
10 brought forth by property owners, or as an
11 outright land acquisition by the City. But the
12 conceptual park image included in Figure 45, it
13 still remains on page 251 of the draft plan, which
14 is a carry-over from the previous draft of the
15 plan, only depicts the latter scenario of an
16 outright land acquisition by the City. Because,
17 obviously, it's not feasible to achieve a
18 redevelopment scenario that also results in a park
19 that occupies the entire block, encompassing the
20 properties.

21 Our recommendation and request is to
22 consider removal of the figure 45 concept plans to

1 reduce any confusion relative to the intents of
2 the plan. We think the images should be removed,
3 because it could be confused. It doesn't quite
4 marry with the with the text of the plan. If the
5 images must be kept, or is desired to be kept,
6 then additional text should at least be added to
7 make it clear that those images clearly show --
8 reflect park designs that really can only be
9 achieved under a land acquisition scenario, so
10 that any redevelopment proposal that might come
11 forward, you know, doesn't get sort of caught in a
12 sort of interpretation of the image.

13 That's all I have for a statement. Thank
14 you very much.

15 MAYOR NEWTON: Thank you. Next up is
16 Joey Solieman. Welcome.

17 MR. SOLEIMAN: Hi, thank you very much
18 Madam Mayor, members of the council. Good
19 evening. Can you hear me?

20 MAYOR NEWTON: Yes, go ahead.

21 MR. SOLEIMAN: Great. Thank you very
22 much. My name is Joey Soleiman. I would like to

1 thank you all for giving me the opportunity to
2 speak tonight and for your time.

3 I own the properties at 216 and 218 Park
4 Road in East Rockville and I just wanted to state
5 that I fully support the mix of housing and more
6 flexible dwelling product in the North Stone
7 Street plan and the 2040 comprehensive plans are
8 encouraging for my properties. I fully support
9 and commend what the City has done, and I intend
10 to, at some point, bring forth a redevelopment
11 proposal with respect to my Park Road properties
12 and hope that that whole area will be redeveloped
13 into the vision of the City in accordance with the
14 North Stone Street plan and the 2040 Comprehensive
15 plan.

16 I thank the City for all your hard work
17 and efforts and look forward to helping contribute
18 to make East Rockville a better place and thank
19 you again, very much for giving me an opportunity
20 to speak and for your time and collective efforts.
21 I really appreciate it. Thank you.

22 MAYOR NEWTON: Thank you very much. And

1 last, we have Bob Youngentob. Welcome Mr.
2 Youngentob.

3 MR. YOUNGENTOB: Thank you Mayor Newton.
4 Can you hear me okay?

5 MAYOR NEWTON: Yes.

6 MR. YOUNGENTOB: Great. Mayor Newton
7 and members of the council, my name, for the
8 record, is Bob Youngentob. I'm the CEO of EYA.
9 I'm here testifying on behalf of EYA as the
10 contract purchaser of the Rockshire Village Center
11 at 2401 Wootton Parkway. EYA supports the draft
12 comprehensive plan's overall directions and its
13 emphasis on promoting housing, diversification,
14 and too, planning for changes in land uses at
15 strategic locations. We generally support the
16 plan's land use policy map and Planning Area 14
17 Rockshire (audio skip) and falls meet
18 recommendations including the RF, residential
19 flexible designation for the property, which sets
20 the stage for the existing vacant shopping center
21 which has struggled as a retail location for many
22 years, to be repurposed for a more active,

1 compatible, and economically productive use.

2 Based on our continued analysis of the
3 site, EYA believes that limited clarifications and
4 refinements would better establish common
5 understandings and expectations for future
6 redevelopment, improving the overall plan and its
7 potential outcomes for the property. To this end,
8 we are providing specific proposed clarifications
9 with our written testimony to address the
10 following:

11 First, parking. The current narrative
12 describing the Rockshire Village Center includes
13 material inaccuracies that should be corrected in
14 an effort to avoid creating future
15 misunderstandings. This language should be
16 clarified to make it clear that (1) the property
17 has been subject to a terminable private license
18 agreement rather than "deeded rights" that allows
19 the adjacent Korean Presbyterian Church to use a
20 limited number of parking spaces along the
21 perimeter of the lot next to the pool on a
22 non-exclusive basis.

1 Second, the temporary arrangement by
2 which Montgomery County Public Schools had made
3 use of some of the perimeter parking spaces for
4 overflow parking has been terminated.

5 Next, with regard to development
6 standards flexibility, redevelopment of the
7 property will be subject of the MXNC zone as a
8 designated equivalent zone for the PDRS area,
9 which is a mixed-use zone that is typically
10 intended for sites that are either currently
11 developed with, or recommended for, moderate
12 density retail, service, office, residential
13 buildings. To allow development that is more like
14 existing townhouses on the adjacent properties in
15 the PDRS zone, it is foreseeable that a future
16 developer, namely EYA, would need to request
17 waivers from certain development standards of the
18 MXNC zones, specifically, minimum setbacks from
19 residential uses and layback slopes. For the
20 limited purpose of encouraging compatible
21 townhouse residential redevelopment, EYA
22 recommends revising the urban design

1 recommendation design recommendations on page 362
2 of the draft comprehensive plan to confirm that
3 waivers from these standards may be appropriate,
4 provided that otherwise applicable zoning
5 ordinance provisions for waiver approval are
6 satisfied.

7 Before concluding, I also wanted to
8 briefly address the suggestion that has been made
9 by some for the City to acquire the property and
10 redevelop it for recreational purposes. This
11 would obviously involve significant monetary costs
12 in terms of acquisition, construction,
13 maintenance, and liability. However, the City
14 should not underestimate the cost associated with
15 missing out on this change to encourage this
16 chance much needed as such a viable location. We
17 believe that allowing for potential residential
18 development on the property, as the draft
19 comprehensive plan currently recommends is a more
20 feasible approach that balances the City's
21 objectives; one that also will potentially result
22 in the provision of desirable community gathering

1 space.

2 We thank you for your consideration of
3 these comments and trust that you will not
4 hesitate to contact us if, at any time, additional
5 information would be useful, and I just want to
6 conclude by also commending the staff and the
7 planning commission for their excellent work over
8 the years on getting to this point with the 2040
9 plan. Thank you so much.

10 MAYOR NEWTON: Thank you. That exhausts
11 the list of those who signed up in advance to
12 speak at this hearing and there are quite a few
13 comments written, so please take a look at those.

14 For the record, this public hearing was
15 noticed on May 27th, and June 3rd and currently
16 the record is to remain open until June 18th, but
17 I believe there is a suggestion. Council member
18 Ashton.

19 COUNCIL MEMBER ASHTON: Thank you.
20 Madam Mayor, I was actually going to ask if we
21 should extend the open public period. We have
22 been receiving a fair number of comments from the

1 East Rockville community. There was some
2 potential confusion and I think there is going to
3 be a meeting on the 22nd. I wonder if folks want
4 to make any revisions to their testimony or if
5 they have some additional testimony as a result of
6 that meeting that has been specially called. That
7 they might be at least able -- and anyone able to
8 submit through the 25th. I just wanted to make
9 that suggestion versus closing this Friday.

10 And I wanted to thank all the speakers
11 for your thorough comments. I've taken very
12 detailed notes, including the page numbers you've
13 referenced, and I really appreciate you
14 testifying.

15 MAYOR NEWTON: Councilmember Pierzchala?

16 COUNCILMEMBER PIERZCHALA: Thank you
17 Madam Mayor. I support Councilmember Ashton's
18 suggestion. There's no reason for the record to
19 have to close this Friday.

20 MAYOR NEWTON: Councilmember Feinberg?

21 COUNCILMEMBER FEINBERG: I totally
22 agree.

1 MAYOR NEWTON: Councilmember Dr. MYles?

2 Thank you. Councilmember Ashton?

3 COUNCILMEMBER ASHTON: Do we need a
4 motion or can we just do this as a consensus?

5 MAYOR NEWTON: I think we can do it as a
6 consensus, thank you. Mr. Levi?

7 MR. LEVI: I'm just wanting to make sure
8 I understand. You want to keep the record open
9 until which date then?

10 MAYOR NEWTON: The 25th.

11 MR. LEVI: The 25th.

12 MAYOR NEWTON: The following Friday that
13 is. The close of business on the 25th to give the
14 people meeting on the 22nd time to give us their
15 thoughts.

16 MR. LEVI: That's all fine. I just want
17 to make sure we're clear.

18 MAYOR NEWTON: Yeah. Councilmember
19 Pierzchala?

20 COUNCILMEMBER PIERZCHALA: Madame Mayor,
21 I apologize. I thought it was July 25th that was
22 suggested, not June 25th. And the reason I

1 mention July is we're bound to get a whole lot
2 more testimony, informally and I'd rather have it
3 as part of the official public record, so maybe a
4 July date would be better than a June date?

5 MAYOR NEWTON: I'll just jump in and say
6 that the only problem I see with that is, how is
7 staff going to get all the things to us we've
8 asked for a night on July 19, to be the final look
9 at all of this and then a vote on August 2nd. So,
10 I'm just not sure how that's going to work.
11 Councilmember Ashton?

12 COUNCILMEMBER ASHTON: I actually am
13 okay with that. I would say, though if we're
14 going to extend it into July that we leave it to
15 the 9th. We need staff to get back to us by the
16 19th. It's my understanding that we'll have all,
17 you know, many comments and will be potentially
18 even able to make an introduction, so I just
19 wanted to share that. I believe the 19th is a key
20 date for us to being able to review all the
21 content and finally making sure that we are in
22 agreement with where we are so that we can take

1 action on the 2nd of August.

2 MAYOR NEWTON: It is the 19th, so what
3 date are you recommending?

4 COUNCILMEMBER ASHTON: So, based on the
5 feedback from my colleagues, and extending into
6 July, I'm going to say that staff may need time
7 and maybe that would close it out on the 9th.
8 July 9th.

9 MAYOR NEWTON: Councilmember Feinberg.

10 COUNCILMEMBER FEINBERG: But we need
11 time to also go through it. If it is for the
12 meeting date of the 19th, we usually get it about
13 the 15th, let's say. That doesn't give staff a
14 whole lot of time if there's late testimony. I
15 would rather do it a little earlier for me. I'm
16 thinking about the staff. I looked at the one
17 section we've received so far. There are an
18 enormous number of changes to even validate and
19 look at in terms of what we, as a collective body,
20 have recommended, let alone it's time consuming
21 for them. I would recommend earlier than the 9th
22 of July.

1 MAYOR NEWTON: Councilmember Pierzchala.

2 COUNCILMEMBER PIERZCHALA: I think July
3 2nd would suit me.

4 COUNCILMEMBER ASHTON: That would work
5 for me.

6 MAYOR NEWTON: Councilmember Dr. Myles
7 and Councilmember Ashton? Councilmember Dr. Myles
8 has his thumb up. Councilmember Ashton?

9 COUNCILMEMBER ASHTON: Yes, I'm okay. I
10 was also -- we have staff who are on the line who
11 are actually doing work and just wanted to check
12 in with them to make sure we have their opinion as
13 well.

14 MAYOR NEWTON: Ms. Gillis?

15 MS. GILLIS: If that's the will of the
16 body, we can make it work. I will just be frank
17 and honest that I think it is -- we are in a push
18 right now with knowing that the upcoming changes
19 that we have and the amount of the markups and the
20 edits. You know, I think the -- honestly, the
21 25th would have been a little bit -- would have
22 given us a little more breathing room just to know

1 that all of the testimony that we've gotten in
2 and, but we are still meeting with you-all too,
3 and to go through some things? But I understand
4 if you want to, we'll make it work if you want to
5 into that first week in June and we can make it
6 work.

7 MAYOR NEWTON: The last week of July?

8 MS. GILLIS: I'm sorry. July.

9 MAYOR NEWTON: Yeah. Okay. I can go
10 either way on this. What do you all think? July
11 2? Okay. I'm seeing thumbs up and heads shaking.
12 So, we'll hold the public record open until July
13 2nd and if you have your comments ready before
14 then, please get them in before then. All right.
15 Thank you. Councilmember Pierzchala.

16 COUNCILMEMBER PIERZCHALA: Thank you
17 Madam Mayor. I understand that the staff is
18 reading through the public testimony, both verbal
19 and written and they summarize it very nicely for
20 us, but is there a repository for all of the
21 comments in one place so that Mayor and Council
22 can actually, more easily go back to the original

1 documents. And I have to admit I haven't been
2 archiving every last suggestion on the 2040 master
3 plan and I'd like to know if there is a repository
4 where all this has been placed.

5 MS. GILLIS: So, we've been trying to
6 keep up as much as we can with the attachments.
7 So, as you'll see, that the attachments,
8 Attachment A is the testimony attachment. It's
9 been growing in pages. What we've been trying to
10 do is we add in the comments; what I don't think
11 we've gotten to yet, because we've just been
12 focusing on adding in comments and then addressing
13 new testimony as it comes in is -- what we want to
14 be doing is -- we have a column for Mayor and
15 Council decisions that will be -- we're trying to
16 do simultaneous updates to those.

17 So, the most -- the area that will have
18 the most succinct information is in those -- in
19 the spreadsheet that we attach with each of the
20 staff reports. We are trying to keep as thorough
21 a track of all of the information that's coming
22 through, and all of the exhibits are listed within

1 those spreadsheets.

2 MAYOR NEWTON: Councilmember Ashton.

3 COUNCILMEMBER ASHTON: Thank you. I
4 noticed that we had seen staff doing that with the
5 planning commission and requested that they do
6 that for us. And the spreadsheets and tracker is
7 super helpful because you also can look at
8 planning area. Maybe if we could also get that
9 beyond the PDF, I think we've gotten it early on.
10 That way it's a little bit suitable for us as
11 we're reviewing sections. Not meaning to creating
12 more work, if we could just take the file and
13 manipulate it ourselves so we can look at it, that
14 would be extremely helpful and I also really
15 appreciate that, as we go through each section,
16 you're highlighting the testimony as well. So,
17 thank you for doing that. I know that's a lot of
18 work.

19 MAYOR NEWTON: All right, thank you all
20 very much. And just for the record, we will hold
21 the record on the comp plan open until July 2nd.
22 It's about two weeks later than we were thinking.

1 Okay. Mr. Levi?

2 MR. LEVI: Yeah. Just for the Mayor and
3 Council, but also for the public, we are also
4 putting all of the actual testimony on the website
5 -- on the front of the project website, so anybody
6 who wants to read actually what's been submitted
7 can go right to the Rockville 2040 website and
8 read what people have submitted and we put the
9 transcripts up as well, from the public hearing.
10 Thank you.

11 MAYOR NEWTON: Great. Thank you. Okay.
12 We are now ready for agenda item 11, which is
13 discussion and instructions to staff and possible
14 adoption of a resolution to approve project plan.

15 (Whereupon, the HEARING was
16 adjourned.)

17 * * * * *

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1 CERTIFICATE OF NOTARY PUBLIC

2 I, Carleton J. Anderson, III do hereby
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14 /s/Carleton J. Anderson, III

15
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<u>WORD INDEX</u>			
< \$ >	15:16	77	6:22
\$1.8 3:14	251 28:13	78	16:12
4:6	25-foot 14:1	78-foot	13:6
\$350,000.00	25th 36:8	< 9 >	
3:15	37:10, 11, 13,	94	16:20
< 1 >	21, 22 40:21	9th	38:15
10 1:1	27 3:4	39:7, 8, 21	
110 9:3	27th 35:15	< A >	
10:4	2nd 38:9	ability	18:2
12th 15:4	39:1 40:3	able	36:7
130 16:14	41:13 43:21	38:18, 20	
15th 39:13	< 3 >	access	4:8
18th 35:16	3/4 3:7	20:4	
1998 3:15	30 45:20	accessible	3:6
19th 38:16,	300 16:19	accommodate	13:19 14:4
19 39:2, 12	30-degree	13:19 14:4	
< 2 >	16:9	accomplished	6:14
2002 6:6	351998 45:19	6:14	
2004 24:2	362 34:1	accountability	19:4, 9
200-B 27:10	38 12:14	21:11	
2015 22:20	3rd 35:15	achievable	19:13
2017 23:6	< 4 >	achieve	17:22 21:18
2021 1:1	45 10:1	28:17	
20-21 1:1	12:16 13:12	achieved	16:12, 14
2024 45:20	14:2 15:7,	29:9	
2040 1:1	19 17:7	achieving	19:11, 16
3:18 4:14	28:12, 22	acquire	34:9
5:21 6:7	< 5 >	acquisition	28:11, 16
19:1, 5	5906 10:22	29:9 34:12	
21:15 22:19	< 6 >	acres	3:5
25:1, 19	64 11:12	Acting	2:7
26:3, 22	12:15	Action	18:18
30:7, 14	65 11:12	19:8 21:20	
35:8 42:2	12:15 15:15,	39:1 45:8,	
44:7	16, 21	13	
216 30:3	< 7 >	active	31:22
218 30:3	722 22:14	actively	5:13
22nd 36:3	75 9:22		
37:14	10:13 16:13		
2401 31:11	17:15 18:8		
25 13:11	75-foot 15:5		
25.13.05			
			activities 20:3
			actual 44:4
			Adams 17:8
			add 7:19
			42:10
			added 13:16
			19:8 29:6
			adding 42:12
			addition 13:9 15:20
			additional 4:3 10:15
			29:6 35:4
			36:5
			address 21:18 32:9
			34:8
			addressed 4:1 8:5
			addresses 5:15
			Addressing 21:1 42:12
			adequately 4:1
			adjacent 12:19 14:1
			17:12 32:19
			33:14
			adjourned 44:16
			adjustments 13:19
			admit 42:1
			adopt 4:12
			adoption 19:3 44:14
			adopts 10:12
			ADUs 23:20
			advance 23:2
			35:11
			affordable 4:3
			AGENDA 1:1
			44:12

agree 9:17 36:22	appropriate 6:20 7:9 11:13, 16 12:17 14:9 16:10 34:3	assigned 19:4, 9	balances 34:20
agreement 32:18 38:22	appropriately 7:20 18:4	associated 34:14	BARBARA 2:14 5:8
ahead 29:20	approval 3:21 5:20 18:3 34:5	Associates 9:4 27:8, 11	based 11:20 32:2 39:4
allow 6:12 27:1 33:13	approve 44:14	Association 22:17	basis 32:22
allowed 15:17 23:11	approved 12:18	assuming 10:11	Beall 16:18
allowing 34:17	April 5:15 11:1 15:4	assurance 16:2, 10 18:4	bear 22:8
allows 3:22 15:15 21:17 32:18	arching 18:22	assure 4:21	began 24:7
alternative 13:14	archiving 42:2	asterisk 7:1	behalf 5:10 10:21 18:20 27:8 31:9
ambiguous 19:6	area 17:7, 10 20:2 26:22 27:15, 16 28:3, 8 30:12 31:16 33:8 42:17 43:8	attach 42:19	believe 7:8, 22 11:13 14:10 15:10 22:10 26:11 34:17 35:17 38:19
amendment 5:20 13:18	arrangement 33:1	attached 23:18	Attachment 42:8
amenity 7:12	ASHTON 2:4 35:18, 19 37:2, 3 38:11, 12 39:4 40:4, 7, 8, 9 43:2, 3	attachments 42:6, 7	believes 9:9 32:3
amount 15:8 40:19	Ashton's 36:17	attended 23:16	benefit 4:6 25:21
analysis 6:6 32:2	aside 23:5	attention 15:11	benefited 3:12 26:2
analyze 20:3	asked 38:8	Attorney 2:7 45:10	benefits 4:2
Andrea 24:5, 18	aspect 21:2	attractive 11:18	BERYL 2:5
annually 19:18	aspects 16:6 18:22 21:15	audio 31:17	best 9:9 25:18
anybody 44:5	assessed 3:14 4:9	August 38:9 39:1	better 23:9 30:18 32:4 38:4
apologize 5:6 37:21	assessing 19:17	authority 18:1	beyond 43:9
appear 9:12	assessment 4:7, 10	Avenue 22:14 27:14	big 23:11
appeared 9:5		avoid 32:14	bit 40:21 43:10
appears 19:6		< B >	blend 20:8
applicable 34:4		B(2)(c 15:16	block 27:12 28:2, 19
application 13:5		back 9:19 10:1, 6, 7 11:1 13:5 38:15 41:22	BOB 2:22 31:1, 8
appreciate 8:10 18:9 27:22 28:5 30:21 36:13 43:15		backs 10:7	body 39:19 40:16
approach 34:20			bordered 15:2 bound 38:1 bounded 27:12 Bradley 7:18

breathing 40:22	certain 18:22 33:17	Clearly 26:8 29:7	13, 17, 21 25:22 28:1
BRIDGET 2:3	CERTIFICATE 45:1	Clerk/Director 2:7	35:7 43:5 45:19
briefly 9:3 34:8	certify 45:3	Climate 18:18 19:22 20:10 21:20	commissioner 18:17
bring 15:10 30:10	Chair 18:12, 18	close 36:19 37:13 39:7	commission's 15:5
broke 23:10	chance 34:16	closely 13:4	commitment 11:9
Brook 11:6 18:16	change 19:22 20:11 34:15	closing 36:9	commitments 21:21
brought 28:10	changes 31:14 39:18 40:18	Club 3:6, 14, 15, 16 4:6, 9, 11 5:10, 11 6:11 7:3 8:2	Committee 18:18
build 17:20 21:19	chapter 27:1	clubs 4:20	common 32:4
building 9:6 10:4 11:15 17:14, 18 20:12	character 17:21 25:17	Club's 4:17	commonplace 17:9, 13
buildings 9:11 10:8 17:12 20:13, 17 33:13	check 40:11	code 15:15	Commonwealth 45:18
built 3:4	CHO 27:6	COGs 11:8	community 7:12 9:16 20:15, 19 21:3, 19 25:12 26:14 34:22 36:1
business 37:13	Christin 14:20	collaborator 24:7	community- based 26:4
< C >	CHRISTINE 2:17 14:17	colleagues 39:5	Comp 6:6 14:12 43:21
called 12:6 36:6	church 11:3 32:19	collective 30:20 39:19	comparable 13:11 17:17
calls 5:18	City 2:7 3:11, 13 4:2 5:13 6:4, 8 10:11 11:10 19:10 21:12, 20 22:13 28:9, 11, 16 30:9, 13, 16 34:9, 13	column 42:14	compatible 17:9 18:2 32:1 33:20
Cambridge 11:22	City's 34:20	combating 20:10	complement 25:4
Canby 27:10	Civic 22:16	come 29:10	complete 19:10
capital 4:16	clarifications 32:3, 8	comes 42:13	completion 3:7
carefully 24:15	clarified 24:16 32:16	coming 42:21	comprehensive 6:12, 15 19:2 24:5 30:7, 14 31:12 34:2, 19
Carleton 45:2	clarify 23:6 24:20	commend 30:9	
carry-over 28:14	City's 34:20	commending 35:6	
caught 29:11	Civic 22:16	comments 18:21 21:22 22:2 35:3, 13, 22 36:11 38:17 41:13, 21 42:10, 12	
CBT 27:8, 11, 18, 20	clear 10:16 23:16 24:1 29:7 32:16 37:17	commercial 20:17	
Center 9:10 15:1 17:20 27:16 31:10, 20 32:12		Commission 3:20, 22 5:2 8:9 9:17 18:1,	
CEO 31:8			

compromise 3:16	considering 22:3	17 29:18 31:7 35:17,	DAVID 2:6
compromising 17:21	consistent 11:7 22:22	19 41:21 42:15 44:3	deal 26:7
concept 5:20 12:22 13:14 28:22	consolidated 6:3	Councilmember 2:4, 5, 6, 7 36:15, 16, 17,	decide 25:7
conceptual 28:12	construction 34:12	20, 21 37:1,	decisions 42:15
concern 18:5	consultant 26:2	2, 3, 18, 20 38:11, 12	decline 9:22
concerned 23:3	consuming 39:20	39:4, 9, 10 40:1, 2, 4, 6,	dedication 4:3
concerning 9:3	contact 35:4	7, 8, 9 41:15, 16	deeded 32:18
concerns 3:20 4:1, 21 12:1	contemplated 13:1	43:2, 3	deemed 3:11
conclude 35:6	content 38:21	counsel 45:7, 11	deeper 16:17, 20
concludes 8:6	continue 11:13 14:7, 8 16:4	Country 5:10 7:3 17:10	deepest 16:18
concluding 34:7	continued 32:2	County 33:2	deeply 22:18
conclusion 21:11	continuously 7:17	course 5:17 6:4	define 25:17
conditions 4:18 21:6	contract 10:22 31:10	COVID-19 20:22	definitely 16:21
confirm 34:2	contribute 30:17	create 6:8 25:10	demise 4:19
confused 29:3	controlled 4:8	created 26:16	demographic 20:1
confusing 24:18	conversations 11:21	creating 32:14 43:11	demonstrating 19:15
confusion 29:1 36:2	convey 10:16	cultural 7:13	denied 3:20 4:7
consensus 37:4, 6	corrected 32:13	current 3:3 10:12 15:14	Density 3:18 11:14 12:13 17:20 23:21 26:10 33:12
consequence 13:8	correction 8:3	24:2 27:16 28:7 32:11	depicts 28:15
consider 3:21 4:18 19:2 20:3, 16 28:22	corridor 9:17	currently 6:13 15:1 33:10 34:19 35:15	describes 28:7
considerable 15:8	cost 34:14	CYNTHIA 2:7	describing 32:12
consideration 7:11 8:11 21:9 28:1 35:2	costs 34:11	< D >	design 24:4 25:20 26:1 33:22 34:1
considerations 20:10 21:19	COUNCIL 1:1 2:2, 12 4:12 8:5 9:1, 13 10:20 14:8 15:8 18:15 22:13 24:10 26:1 27:7,	damage 21:4 Dantzler 22:7 date 37:9 38:4, 20 39:3, 12	designate 3:17 4:13

desired 6:13 16:22 29:5	discussion 44:13	24:9, 19 25:3, 6, 11,	encouraging 30:8 33:20
detached 26:12	discussions 23:17	20 26:10, 20, 22 27:12, 14	energy 20:5
detailed 36:12	DISPIRITO 2:7	30:4, 18	engaged 22:19 23:11
determine 19:18	distinct 8:1	36:1	engagement 24:12
determined 6:21	district 9:18	economic 4:18 19:22	enhance 9:11 20:14 23:22
devaluation 28:4	diversification 31:13	economically 15:22 32:1	enormous 39:18
develop 4:8 17:17 21:6 25:7	diversity 11:17 25:12	edits 40:20	ensure 18:2 19:10, 12 21:15
developable 3:12	documents 42:1	educational 7:12	ensuring 19:7 21:12
developed 33:11	doing 40:11 42:14 43:4, 17	effect 17:16 effort 12:2 32:14	entire 28:19
developer 33:16	DOLEIMAN 2:21 DONNELL 2:3	efforts 14:15 30:17, 20	entitlements 6:2
development 3:9 6:15, 21 9:16 12:18 14:4, 21 17:5 18:2, 4 21:16 33:5, 13, 17 34:18	downsizing 11:3	either 28:9 33:10 41:10	Environment 18:13, 17, 20 19:1 25:13
differences 26:9	down-zones 15:19	electricity 21:5	environmental 7:21 20:20
Different 6:4 12:5	dozens 24:13	electronic 45:3	envision 23:12
difficult 22:22	Dr 37:1 40:6, 7	element 19:1	Equally 20:18
direct 3:8	draft 6:7, 14 19:1, 5 21:8 27:16 28:13, 14 31:11 34:2, 18	elements 21:13	equitable 26:7
direction 9:14 45:5	drafts 27:22	eligible 6:1	equity 20:4 21:18
directions 31:12	dreams 23:11	eliminate 14:2	equivalent 33:8
directly 10:5 17:14	due 19:22	emails 24:13	especially 3:12 25:3
director 14:20	duplexes 23:19	emphasis 31:13	essential 26:14
discussed 15:12 24:16	dwelling 30:6	employed 45:7, 11	essentially 13:22
	< E >	employee 45:10	establish 32:4
	earlier 27:22 39:15, 21	empty 11:18	evaluated 15:20
	early 43:9	encompassing 28:19	evaluating 20:1
	easily 41:22	encourage 9:10 26:21 34:15	evening 5:8 9:1 14:19
	EAST 1:1 22:16 23:7		

18:14 22:12	14:10 20:21	fit 13:2	frontage 3:8,
27:6, 8	factors 20:1	14:11	13 9:20
29:19	fair 35:22	fits 13:3	full 10:13
event 6:11	falls 31:17	five-story	16:13
events 21:3	family 12:20	9:6	fully 30:5, 8
everybody	23:18 25:12	Fleet 27:13	further 4:14
9:13	26:11	flexibility	18:7
exact 17:16	far 7:15	33:6	furthermore
example 20:2	39:17	flexible	45:9
exceed 13:12	fast 8:6	30:6 31:19	future 4:1,
14:2	fastly 8:6	flooding	15 5:12
excellent	feasible	20:13	21:7 28:8
35:7	15:22 28:17	floor 12:9	32:5, 14
exercise	34:20	focusing	33:15
23:11 25:15	Federal 14:21	42:12	
exhausts	feedback 39:5	folks 36:3	< G >
35:10	feel 26:13	followed	gathering
exhibits	feet 9:22	23:15	34:22
18:7 42:22	10:1, 13	following	general 28:8
existence	11:12 12:15,	18:21 32:10	generally
4:17, 22	16 13:11, 13	37:12	31:15
existing	14:2 15:7,	food 20:6	getting 35:8
11:3 15:1	15, 16, 19, 21	foot 16:11	Gillis 24:5,
17:18 20:16	16:12, 13, 14,	26:6	15 40:14, 15
31:20 33:14	19, 20 17:7,	football	41:8 42:5
expectations	15 18:8	16:20	give 24:14
32:5	FEINBERG 2:5	foreseeable	37:13, 14
Expires 45:20	36:20, 21	5:11 33:15	39:13
explain 18:7	39:9, 10	forgoing 45:3	given 3:8
extend 35:21	field 7:11	form 13:20	17:2 19:21
38:14	16:20	23:19	21:7 40:22
extending	Fifth 7:17	formed 25:20	giving 30:1,
39:5	Figure 6:22	forms 25:13	19
extent 7:7	28:12, 22	forth 28:10	glad 24:18
extreme 21:3,	file 6:1	30:10	go 5:7
5	43:12 45:3	forty 12:13	22:9 29:20
extremely	final 17:19	Forty-five	39:11 41:3,
43:14	19:3 38:8	16:11	9, 22 43:15
EYA 31:8, 9,	Finally 7:22	forward	44:7
11 32:3	19:21 38:21	14:14 29:11	goal 17:22
33:16, 21	financially	30:17	19:7, 12
	45:12	Fourth 7:10	goals 6:12
< F >	fine 37:16	frank 40:16	19:5, 11, 17
facilities	First 5:17	Friday 36:9,	21:18
7:13	12:9 16:9	19 37:12	going 13:18
fact 10:8	19:4 32:11	front 44:5	22:9 35:20
	41:5		

36:2 38:7, 10, 14 39:6 golf 4:20 5:17 6:4 Good 5:8 8:22 9:18 12:3 14:9, 19 18:14 22:12 23:3 27:6 29:18 goodness 22:6 gotten 41:1 42:11 43:9 Grack 8:14, 15, 18, 21 9:2 Grandin 22:14 great 26:7 29:21 31:6 44:11 greatest 7:7 greatly 26:1 green 20:4 grid 20:13 groups 23:10 grow 26:16 growing 42:9 growth 11:7 guidelines 24:4 25:20 26:1 < H > Halpine 10:22 happen 26:20 hard 8:8 23:3 30:16 HARRIS 2:16 10:19, 20, 21 14:16 headed 9:14 heads 41:11 health 20:19 hear 8:16, 18, 19 29:19 31:4	HEARING 1:1 15:4 35:12, 14 44:9, 15 height 11:12 12:15 13:12 15:9, 15, 19 16:8 17:6, 16 18:8 heights 14:2 15:6 16:11 help 21:20 23:6 25:5 26:16 helpful 43:7, 14 helping 30:17 hereto 45:11 hesitate 35:4 Hey 10:20 Hi 29:17 highlight 5:16 16:6 highlighted 7:4 20:22 highlighting 43:16 highly 24:6 hiking 3:6 historic 17:7, 10, 11 hold 41:12 43:20 homes 9:12 10:21 12:19 honest 24:6 40:17 honestly 40:20 hope 10:16 30:12 Hopefully 4:14 hoping 13:15 14:6 horizon 21:8 hosting 24:19 House 7:18	housing 4:3 11:6, 9, 17 12:4 13:20 23:10, 18 25:10 26:7, 9, 12, 13 30:5 31:13 human 21:1 23:21 hundreds 24:13 hurricane 21:4 < I > III 45:2, 14 image 28:12 29:12 images 29:2, 5, 7 imagine 12:7 immediate 22:15 28:4 impact 5:14 10:2 impacted 24:17 impactful 7:15 impacts 19:21 20:20 importance 26:5 important 15:10 20:10, 18 21:13 importantly 15:14 improved 19:19 improvements 20:16 improving 32:6 inaccuracies 32:13	inaudible 7:6 10:21 11:9 25:5 include 5:2, 19 12:4 19:13 21:2 included 28:12 includes 32:12 including 13:7 31:18 36:12 inclusion 7:11 income- producing 16:1 incoming 23:1 increase 11:9 increased 23:20 increasingly 23:3 Indian 4:19 indicated 11:2 12:22 individual 22:15 inform 25:5 informally 38:2 information 35:5 42:18, 21 Infrastructure 20:9 initial 4:12 11:10, 12 initially 14:10 27:20 input 6:17 24:14 instances 14:3 Institute 9:15
---	---	--	---

Instituting 20:11	12 43:21	language 7:9, 19 13:16, 21, 22 20:8 23:9 32:15	located 27:10, 12
instructions 44:13	jump 38:5	large 7:11	locating 7:1
intend 30:9	June 1:1 35:15, 16 37:22 38:4 41:5	larger 8:1	location 6:20 31:21 34:16
intended 27:2 33:10	justification 18:8	late 39:14	locations 31:15
intense 12:17	< K >	lay 13:5	longer 3:9 16:19
intents 29:1	keep 37:8 42:6, 20	layback 9:22 14:3 16:9, 13 17:8 33:19	long-term 20:14 21:9
interest 9:10	keeping 22:7	layers 5:18	look 14:13 23:12 30:17 35:13 38:8 39:19 43:7, 13
interested 45:12	kept 29:5	leave 38:14	looked 39:16
interesting 22:5	Key 3:11 4:5 38:19	LEE-CHO 2:20 27:5, 9	looking 24:3
interpretation 29:12	kickoff 22:20	left 5:6	lot 32:21 38:1 39:14 43:17
introduction 38:18	kick-off 24:22	length 22:21	love 26:18
Investment 14:21	kind 12:5 13:15	letter 3:2 5:14 7:9 12:21 13:13, 21	low 20:4
involve 34:11	kindly 8:4	letters 8:4	Lynnedane 7:18
involvement 23:1	know 8:22 9:5 14:7 29:11 38:17 40:20, 22 42:3 43:17	Levi 37:6, 7, 11, 16 44:1, 2	< M >
Isaacson 8:4	knowing 40:18	liability 34:13	Madam 9:1 18:14 29:18 35:20 36:17 41:17
issue 11:19 15:9, 13 16:8 20:22	Korean 32:19	license 32:17	Madame 37:20
ITEM 1:1 9:19 44:12	< L >	limited 15:18 32:3, 20 33:20	mailings 24:14
items 15:11	land 6:18 9:15 14:1 23:8 27:18 28:5, 11, 16 29:9 31:14, 16	Lincoln 24:9	maintain 4:17 22:22
its 3:12 4:21 19:11 21:13, 20 25:13 31:12 32:6	landlocked 3:5, 9 4:9, 10	line 5:4 13:6 16:13, 15 22:8 40:10	maintaining 26:17
< J >	landowner 5:12	list 22:5, 9 25:14 35:11	maintenance 34:13
Jefferson 27:12	landscape 25:7	listed 42:22	major 5:12
JOEY 2:21 29:16, 22	Lane 9:8 15:3	listening 26:14	majority 25:2
July 37:21 38:1, 4, 8, 14 39:6, 8, 22 40:2 41:7, 8, 10,		little 39:15 40:21, 22 43:10	making 26:19 38:21
		live 22:14 26:18	Manager 2:7

manipulate 43:13	19:12, 14	mixed-use 33:9	negative 20:20
manner 20:21	measure 21:17	moderate 33:11	neighbor 12:3
map 31:16	Medium 3:18	modest 14:4	neighborhood 23:12, 22
mapping 20:3	meet 21:20 31:17	modified 7:19	24:7 25:18
MARK 2:7	MEETING 1:1	Monday 1:1	26:17
markups 40:19	11:22 22:20	monetary 34:11	neighbors 11:21 14:7
marry 29:4	24:15, 19	MONIQUE 2:4	26:6, 13
MARYLAND 1:1	25:4, 16	Monroe 27:10, 14	neither 45:7, 10
master 5:13 7:13 24:5 42:2	36:3, 6 37:14 39:12 41:2	Montgomery 4:19 15:2 16:18 33:2	nesters 11:18
material 32:13	meetings 11:21 23:15 24:13	month 24:20	new 6:8 22:9 26:6 28:5 42:13
maximized 24:11	member 35:17, 19	motion 37:4	NEWTON 2:3 5:3 8:12, 17, 20 10:18 14:16 18:11 22:4, 12 27:4, 6 29:15, 20 30:22 31:3, 5, 6 35:10 36:15, 20 37:1, 5, 10, 12, 18 38:5 39:2, 9 40:1, 6, 14 41:7, 9 43:2, 19 44:11
maximum 15:19	members 9:1 18:15 22:13 27:7 29:18 31:7	moving 24:10	nice 8:22
MAYOR 1:1 2:2, 3 5:3 8:5, 12, 17, 20 9:1, 13 10:18, 20 11:22 14:8, 16 15:7 18:11, 15 22:4, 12 24:10 25:22 27:4, 6, 17 29:15, 18, 20 30:22 31:3, 5, 6 35:10, 20 36:15, 17, 20 37:1, 5, 10, 12, 18, 20 38:5 39:2, 9 40:1, 6, 14 41:7, 9, 17, 21 42:14 43:2, 19 44:2, 11	mental 20:19	multifamily 11:11	nicely 41:19
MCGUIRL 2:17 14:17, 18, 19, 20	mention 38:1	multiple 5:18 6:13 25:21	night 38:8
mean 25:17	met 19:7, 15	MXCD 10:12	non-exclusive 32:22
meaning 43:11	metrics 19:18 21:11	MXNC 13:4 33:7, 18	normal 6:2
measurable	metro 11:6, 15 12:4, 18	MYLES 2:6 37:1 40:6, 7	North 9:3, 7, 21 10:4, 6 14:22 15:3, 6 17:2, 6, 8 18:9 23:21 27:13 30:6, 14
	Middle 9:8 15:3 23:17	< N >	
	mile 3:7	name 5:8 14:20 18:15 20:6 29:22 31:7	
	Miles 5:9	narrative 32:11	
	Miller 27:9	near 11:14	
	million 3:14 4:6	necessitate 4:15	
	minds 9:20	need 6:19 13:18 33:16 37:3 38:15 39:6, 10	
	minimum 33:18	needed 4:2 11:6, 14 34:16	
	minute 22:9		
	missing 34:15		
	misunderstandin gs 32:15		
	misunderstood 23:4		
	mix 27:19 30:5		
	mixed 9:17		

NOTARY 45:1, 17	opinion 26:9 40:12	parcel 3:4, 8, 12, 17	perpetual 4:21
Note 8:2	opportunities 6:16 24:14	4:13, 16	person 22:6
notes 36:12	25:10	park 4:2	Personally 26:10
noticed 35:15 43:4	opportunity 11:4, 16	6:18 7:2, 4, 22 24:9	perspective 21:10
November 45:20	22:1 24:12	27:14, 21	PIERZCHALA
NPDUs 11:17	30:1, 19	28:3, 8, 12, 18 29:8	2:7 36:15, 16 37:19, 20
number 32:20	options 20:5	30:3, 11	40:1, 2
35:22 39:18	order 14:4	parking 10:15 32:11, 20 33:3, 4	41:15, 16
numbers 36:12	ordinance 13:2 34:5	parkland 6:20	Pike 3:6 6:7
< O >	original 41:22	Parkway 3:4, 7, 13 31:11	PITMAN 2:19 22:10, 11, 12, 13
objectives 34:21	originally 45:4	part 3:18 27:15 28:9	place 21:17 30:18 41:21
obviously 8:9 28:17	outages 21:5	38:3	placed 42:4
34:11	outcome 45:12	PARTICIPANTS 2:1	PLAN 1:1 3:19, 21
occupies 28:19	outcomes 32:7	participated 5:13	4:14 5:17, 20, 21 6:1, 6, 7, 14, 15, 21 7:5, 10, 13, 19 13:16
OCRM 27:18	outlined 17:22	particularly 26:14	18:3 19:3, 5, 8 21:8, 15 24:2, 5, 7, 16 25:19
offer 18:21	outright 28:11, 16	parties 45:8, 11	26:3, 22 27:17 28:13, 15 29:2, 4 30:7, 14, 15 32:6 34:2, 19 35:9
offering 21:2	outside 26:2	pass 26:21	42:3 43:21 44:14
office 9:6, 11 10:8	overall 19:5 31:12 32:6	passes 25:22	planning 6:6, 12 8:9
33:12	overflow 33:4	Pat 10:21	9:16 15:5 18:1 20:2, 11 21:8, 9 22:19 23:6, 9 24:10
office/commerci al/residential 27:19	owned 9:4 23:13	path 26:6	25:22 26:22
official 38:3	owner 6:1 10:14 14:22	PATRICIA 2:16 10:19	
Okay 5:5	owners 28:10	PAVITRA 2:18 18:12, 16	
8:21 31:4	ownerships 17:2	PD 6:8, 9, 11	
38:13 40:9	owns 27:11	PDF 43:9	
41:9, 11	< P >	PDRS 33:8, 15	
44:1, 11	pad 25:16	people 37:14 44:8	
once 17:4	page 28:13 34:1 36:12	percent 12:13	
one-third 16:16	pages 42:9	perimeter 32:21 33:3	
ongoing 7:2	paid 3:15	period 35:21	
open 15:17	pandemic 20:22	periodically 19:18	
35:16, 21			
37:8 41:12			
43:21			
opened 25:16			
Operations 2:12			

27:16 28:1	previously	11:3 13:6	publicizing
31:14, 16	15:20 27:21	15:1, 18, 20	19:16
35:7 43:5, 8	principles	16:1, 2, 4,	purchaser
plans 5:11,	11:8	12, 15, 16, 17	10:22 31:10
14 6:9	private 7:16	17:3, 15	purpose 33:20
24:3, 8, 17,	32:17	23:14 25:8	purposes
20 25:1, 4,	privilege	28:5, 10	34:10
9 26:4, 16	22:18	31:19 32:7,	push 40:17
27:1 28:22	problem 38:6	16 33:7	put 9:19
30:7	proceedings	34:9, 18	44:8
Plan's 14:12	45:6, 9	property's	puts 26:6
31:12, 16	process 3:21	15:14	putting 44:4
please 3:21	5:18 6:2,	proposal	
4:18 35:13	22 18:3	11:11 28:9	< Q >
41:14	22:19, 21	29:10 30:11	quads 23:19
point 3:11	24:11 25:1	propose 13:10	question 4:5
11:2 16:19	product 8:10	proposed	quite 29:3
17:19 30:10	11:13 12:5,	14:11 18:8	35:12
35:8	12, 14 14:9,	32:8	quo 16:3
points 8:11	10 30:6	proposing	
17:22	productive	12:5	< R >
policies 19:5	32:1	protect 20:12	read 23:1
policy 31:16	program 12:2	provide 4:16	44:6, 8
pool 32:21	progress	10:15 13:22	reading 41:18
possible 7:7	19:16, 17	16:22 22:2	ready 5:7
28:8 44:13	20:2 21:18	provided	41:13 44:12
post-it 25:16	project	13:20 15:17	real 11:19
potential	11:11 44:5,	16:11 23:7	realize 15:7
3:10 4:2	14	34:4	really 9:18
7:1, 3 32:7	projections	provides	12:8 13:2
34:17 36:2	11:8	11:4, 15, 17	24:3, 18
potentially	prolonged	12:12 15:16	29:8 30:21
34:21 38:17	21:4	16:10	36:13 43:14
power 20:13	promise 10:14	providing	Realty 14:21
Presbyterian	promoting	6:16 32:8	rear 3:5
32:19	31:13	provision	10:13
present 3:22	properties	34:22	reason 10:1
preserved	10:3 27:11,	provisions	36:18 37:22
7:6, 18	18, 20 28:20	34:5	reasonable
preserving	30:3, 8, 11	PUBLIC 1:1	16:2
25:11	33:14	6:16 7:2	REC 18:19
president	property	10:15 33:2	recall 11:2,
3:3 22:16,	5:14, 19	35:14, 21	10
17, 18	6:10, 19, 22	38:3 41:12,	receive 4:6
pretty 26:20	7:2, 4, 7, 14,	18 44:3, 9	received
previous	16 8:1 9:3,	45:1, 17	39:17
28:14	21 10:13, 14		

receiving 35:22	32:6 33:6, 21	request 7:14, 18 8:5	results 19:16, 17
recognize 12:1 26:4	redevelops 5:19 6:11,	10:11 28:21	28:18
recognizing 13:16	22	33:16	retail 31:21
recommend 17:20 39:21	Redgate 4:20	requested 3:16 6:9	33:12
recommendation 4:12 7:14	reduce 29:1	13:13 43:5	retaining 26:5
15:5, 18	reduced 45:4	requests 5:15	return 10:14
28:21 34:1	reduction 12:15	require 3:22	16:2
recommendations 31:18 34:1	reference 8:3	13:5	revenue 4:4
recommended 27:21 33:11	referenced 36:13 45:6	requirements 14:3 19:15	review 6:21
39:20	references 6:18 7:20	requiring 6:14	19:3 38:20
recommending 39:3	refinements 32:4	resident 18:16	reviewing 43:11
recommends 6:8 7:5, 10	reflect 29:8	Residential 3:18 9:12	revised 19:19
27:17 33:22	reflective 26:12	10:3, 7	revising 28:2 33:22
34:19	regard 33:5	14:1 20:17	revisions 36:4
reconsideration 15:12 16:7	regarding 12:1 26:9	31:18 33:12, 19, 21 34:17	rewritten 8:6
record 12:21	regularly 21:7	residents 21:13 22:22	rezoned 8:2
22:1 27:9	related 45:7	23:4 24:9	rezoning 5:21 6:16
31:8 35:14, 16 36:18	relative 29:1 45:10	25:2, 6, 21	RF 31:18
37:8 38:3	relocating 11:4	26:5	right 24:8
41:12 43:20, 21 45:5	remain 35:16	resiliency 20:8, 9, 19	40:18 41:14
recreational 34:10	remains 26:8	21:2, 12	43:19 44:7
redevelop 5:11 16:3, 4 17:4	28:13	resilient 21:19	rights 7:16
34:10	removal 28:22	resolution 44:14	32:18
redeveloped 30:12	removed 7:15	respect 30:11	RMD-15 8:3
redeveloping 15:21	29:2	respectfully 4:11	RMD-25 3:17
redevelopment 28:9, 18	repeatedly 20:21	responsible 19:7	4:7, 14 8:2
29:10 30:10	report 9:15	responsive 12:2	Road 10:22
	17:19	responsiveness 21:14	30:4, 11
	reporting 20:2	result 34:21	ROBERT 2:7
	reports 42:20	36:5	Rockshire 31:10, 17
	repository 41:20 42:3	resulted 28:4	32:12
	repurposed 31:22		ROCKVILLE 1:1 5:9
			9:4, 10
			18:12 22:16
			23:7 24:9,
			19 25:1, 3,
			6, 12, 20
			26:10, 20, 22
			27:15 30:4,

<p>18 36:1 44:7 Rockville's 21:16 role 22:17 room 5:6 16:21 40:22 rows 12:7 rules 23:13</p> <p>< S > s/Carleton 45:14 safe 20:5 sale 4:16 SARA 2:7 satisfied 34:6 says 13:22 scale 23:21 scenario 28:15, 18 29:9 school 11:19 Schools 33:2 SEARS 2:14 5:4, 5, 8 8:12 second 5:6 6:18 12:9, 11 19:12 33:1 section 15:16 39:17 43:15 sections 43:11 sector 13:16 see 25:6 38:6 42:7 seeing 41:11 seen 43:4 separate 8:1 separately 8:4 service 5:1 33:12</p>	<p>services 20:6 21:3 session 15:10 set 23:5 26:3 setback 13:6, 10 14:1 17:7 setbacks 13:10 33:18 sets 31:19 setting 7:21 19:14 seven 10:8 shaking 41:11 share 38:19 shopping 15:1 31:20 show 7:1 29:7 showed 25:3 side 9:7 13:10 17:6 signed 35:11 significant 34:11 significantly 12:13 simultaneous 42:16 single 12:20 23:18 26:11 Sir 8:17, 20 site 3:21 11:5, 14 12:19 16:18 18:3 32:3 sites 16:21 17:11 33:10 six 5:16 24:22 size 6:20 skip 31:17 slightly 7:19 slope 9:22 16:9, 13</p>	<p>17:8 slopes 33:19 smart 11:7 social 19:22 20:9, 18 SOLEIMAN 29:17, 21, 22 Solieman 29:16 somewhat 19:6 SOO 2:20 27:5, 9 Sorry 5:7 8:21 41:8 sort 29:11, 12 south 15:2 27:13 space 15:17 20:4 35:1 spaces 32:20 33:3 speak 30:2, 20 35:12 Speakers 2:13 36:10 speaking 5:9 8:22 9:2 27:8 special 4:5 specially 3:14 4:9 36:6 specific 13:21 32:8 specifically 17:11 33:18 speculative 7:15 spent 15:8 sports 7:12 spreadsheet 42:19 spreadsheets 43:1, 6 Springs 4:19 squarely 13:3</p>	<p>SRINIVASAN 2:18 18:12, 14, 16 Staff 2:7 3:17, 19 4:13 5:2 8:9 9:16 15:4 23:4, 7 24:10 35:6 38:7, 15 39:6, 13, 16 40:10 41:17 42:20 43:4 44:13 staff's 27:22 stage 13:17 31:20 standards 19:15 20:12 33:6, 17 34:3 state 6:9, 19 30:4 stated 8:7 19:11 statement 19:8 29:13 station 11:6 12:18 25:8 status 16:3 step 6:3 step-down 16:22 stepped 18:5 stepping 15:6 steps 5:22 6:3, 13 Steve 9:2 STEVEN 2:15 8:13 sticks 12:7 Stockbridge 5:9 Stone 23:21 24:3 25:19 30:6, 14</p>
--	--	---	---

stone's 11:5	suggested 7:8 37:22	taxpayers 21:14	43:3, 17, 19
stories 17:15	suggestion 10:2 34:8	TAYLOR-FERRELL 2:7	44:10, 11
strategic 31:15	35:17 36:9,	temporary 33:1	Thanks 27:2
Street 9:4,	18 42:2	term 25:18	things 19:14
7, 21 10:5,	suit 40:3	terminable 32:17	25:11 38:7
6 12:20	suitable 6:10 43:10	terminated 33:4	41:3
14 18:9	summarize 41:19	terms 13:10	think 8:15
23:21 24:4	super 43:7	34:12 39:19	12:16 13:1
25:19 27:10,	supply 20:12	terrific 26:20	16:7 17:21
13, 14 30:7,	support 15:4	testified 11:1	29:2 36:2
14	21:3 25:2	testify 15:3	37:5 40:2,
streets 20:5,	30:5, 8	testifying 31:9 36:14	17, 20 41:10
6	31:15 36:17	testimony 8:7 18:7	42:10 43:9
strength 18:22	supportive 3:19 13:14	23:2 32:9	thinking 39:16 43:22
Strengthening 21:14	supports 27:20 31:11	36:4, 5	Third 7:5
strongly 26:21	sure 37:7,	38:2 39:14	20:8 23:10
struggled 31:21	17 38:10, 21	41:1, 18	thorough 36:11 42:20
sub 28:2	40:12	42:8, 13	thought 13:7
sub-committee 18:19	Susan 22:10,	43:16 44:4	37:21
subject 6:5	13	text 13:17	thoughtful 24:11
20:20 32:17	sustainability 20:14	28:7 29:4,	thoughts 37:15
33:7	sustainably 21:17	6 45:4	threaten 17:9
subjective 25:18	sustained 20:21	Thank 5:1, 3	three 6:2
submit 36:8	SUZAN 2:19	8:7, 12	10:9 18:21
submitted 12:21 23:2	< T >	10:17, 18	22:8 23:7,
44:6, 8	take 5:22	14:13, 14, 15,	14 24:3, 20
submitting 18:6 21:22	35:13 38:22	16, 19 18:10,	25:1, 9
substantial 6:5	43:12	11 22:1, 4,	26:16 27:1
success 19:13	taken 36:11	6 27:4, 7	throw 11:5
successfully 21:20	45:9	29:13, 15, 17,	thumb 40:8
succinct 42:18	takes 21:17	21 30:1, 16,	thumbs 41:11
sufficient 16:21	talking 15:9	18, 21, 22	time 5:1
	taller 17:12	31:3 35:2,	6:15 9:20
	targets 19:13, 14	9, 10, 19	10:9, 10, 17
	21:12	36:10, 16	11:20 12:3
	tax 4:3	37:2, 6	14:13 15:8
		41:15, 16	18:10 22:2
			27:3 30:2,
			20 35:4
			37:14 39:6,
			11, 14, 20
			Today 18:20

tonight 9:3 18:10 22:15 27:3 30:2	20	upcoming 40:18	vote 38:9
top 12:10	turn 11:5	updates 42:16	< W >
tornado 21:4	twenty-year 21:7	updating 20:11	wage 3:15
totally 36:21	Twin 11:6 18:16	Urban 9:15	waiver 34:5
Town 9:10 12:19 17:20 27:15	Twinbrook 11:1	urges 4:11	waivers 33:17 34:3
townhomes 16:5	two 12:7, 8 24:17 27:11	use 9:17 23:8 27:18 28:5 31:16	Walk 11:22
townhouse 12:8 33:21	two-over-two 12:6, 22	uses 31:14 33:19	walkability 25:13
townhouses 12:7 33:14	type 11:15 13:19	useful 35:5	walkable 20:6
track 22:7 42:21	typically 17:4 33:9	uses 31:14 33:19	wall 17:5
tracker 43:6	< U >	usually 39:12	WALTERS 2:7 3:2
transcript 45:5	ULI 17:19	< V >	want 9:19 16:6 35:5 36:3 37:8, 16 41:4 42:13
transcripts 44:9	unaltered 27:1	vacant 10:9 31:20	wanted 26:19 30:4 34:7 36:8, 10 38:19 40:11
transit 20:5 25:8	underestimate 34:14	validate 39:18	wanting 37:7
transition 9:11 11:16 12:17 16:10, 22	underneath 10:15	valuable 19:9 20:15	wants 44:6
transitional 13:20	understand 4:20 23:9 37:8 41:3, 17	value 20:14 25:12	warranted 16:8
transmitted 45:4	understanding 38:16	valued 24:6	Washington 9:4, 7, 21 10:5, 6 14:22 15:6 17:3, 6 18:9
transparency 19:11	understandings 32:5	Van 8:13, 15, 18, 21 9:2	water 20:12
transparent 24:6	unfair 7:3	VANGRACK 2:15 8:13	way 17:5 23:17 41:10 43:10
tree 7:5	unforeseen 4:18	variable 10:18 19:21	website 44:4, 5, 7
triplexes 23:19	unfortunately 21:6	varied 17:2	week 41:5, 7
true 45:5	unintended 13:8	variety 25:10	weeks 43:22
truly 13:19 26:3	unique 23:22	verbal 41:18	Welcome 8:13 10:19 14:17 18:13 22:10 27:5 29:16 31:1
Trust 14:22 35:3	unit 12:8, 10, 11	versus 36:9	welcoming 26:5
trying 10:16 42:5, 9, 15,	units 11:12 12:8, 14, 15	viable 34:16	
	unmuted 8:15	Village 4:19 31:10 32:12	
		Virginia 45:18	
		vision 14:11, 12 30:13	

<p>Well 10:4 11:18 20:17 21:5 23:14, 15 40:13 43:16 44:9 well-lit 20:5 well-regulated 23:20 we're 13:15 37:17 38:1, 13 42:15 43:11 west 9:6, 8, 21 15:2, 7 16:17 17:1, 6 27:15 western 16:12, 14 We've 12:21, 22 13:13, 20 26:16 38:7 39:17 41:1 42:5, 9, 11 43:9 wish 25:14 wonder 36:3 Woodmont 4:15 5:10, 13 6:5, 9, 10 7:17 Woodmont's 3:3 4:5, 21 7:16 Wootton 3:3, 4, 8, 11, 17 4:13, 16 7:22 31:11 word 7:20 work 8:8 14:6, 7, 8 15:9 17:4 23:3 24:21 25:9 27:2 30:16 35:7 38:10 40:4, 11, 16 41:4, 6 43:12, 18</p>	<p>worked 24:1 25:16 working 14:14 26:15 workshops 23:7, 14 worthy 21:8 writing 23:2 written 13:2 18:6 22:1 32:9 35:13 41:19 < Y > Yeah 37:18 41:9 44:2 year-long 25:15 years 5:22 21:16 24:15, 22 31:22 35:8 you-all 41:2 YOUNGENTOB 2:22 31:1, 2, 3, 6, 8 < Z > zone 4:13 6:8, 10, 11 11:9 13:4, 5 14:5 33:7, 8, 9, 15 zones 13:3, 12 33:18 zoning 4:7 9:18 10:12 13:1, 17 15:15 23:8 26:11 34:4</p>		
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