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GOVERNMENT OF THE DISTRICT OF COLUMBIA
Zoning Commission

Public Hearing

Case No. 14-18A [Mid-City Financial Corporation -
First-Stage PUD Modification and Second-Stage PUD at
Square 3953, Lots 1, 2, and 3 - RIA Block 7.]

6:33 p.m. to 9:25 p.m.
Thursday, March 16, 2017

Jerrily R. Kress Memorial Hearing Room
441 4th Street, N.W., Suite 220 South
Washington, D.C. 20001

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1 Board Members:

2 ANTHONY HOOD, Chairman

3 ROBERT MILLER, Vice Chair

4 PETER MAY, Commissioner

5 MICHAEL TURNBULL, Commissioner

6 PETER SHAPIRO, Commissioner

7

8 Office of Zoning:

9 SHARON SCHELLIN, Secretary

10

11 Office of Planning:

12 JENNIFER STEINGASSER

13 JOEL LAWSON

14 MAXINE BROWN-ROBERTS

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

2 CHAIRPERSON HOOD: Good evening, ladies and
3 gentlemen. This is the public hearing of the Zoning
4 Commission of the District of Columbia. Today's date
5 is March the 16th, 2017.

6 My name is Anthony Hood. Joining me are Vice
7 Chair Miller, Commissioner Shapiro, Commissioner May,
8 and Commissioner Turnbull. We're also joined by the
9 Office of Zoning staff, Ms. Sharon Schellin, as well
10 as the Office of Planning staff, Ms. Steingasser and
11 Mr. Lawson.

12 Again, as I've stated in our previous
13 hearing, notice of today's hearing was published in
14 the D.C. Register, and copies of that announcement
15 are available to my left on the wall near the door.

16 This is a continuation of the hearing. I
17 believe, this evening, and we're going to be hearing
18 persons in opposition, rebuttal and closing by the
19 applicant.

20 MS. SCHELLIN: And persons and organizations
21 who have listed as undeclared.

22 CHAIRMAN HOOD: Oh, that's the new -- I'm
23 still learning the new rules. And also those who are
24 undeclared, organizations and persons who are
25 undeclared.

1 The following time constraints will be
2 maintained in this meeting. Organizations have five
3 minutes, individuals have three minutes. Again, all
4 persons appearing before the Commission in this
5 evening's hearing are asked to register at the
6 witness kiosk to my left and fill out two witness
7 cards. I believe, is this the same list that we had
8 previously. So, we shouldn't have to do that.

9 MS. SCHELLIN: It is the same list but some
10 of them may not be here, and there are a few new
11 people added.

12 CHAIRMAN HOOD: Well, if we have some new
13 folks I would ask that you please sign in and of
14 those not here, we're going to keep right on going
15 down the list in which we have presented in front of
16 us.

17 Again, when presenting information to the
18 Commission, please turn on and speak into your
19 microphone, first stating your name and home address.
20 When you are finished speaking, please turn your
21 microphone off so that your microphone is no longer
22 picking up sound or background noise.

23 The staff will be available throughout the
24 hearing to discuss procedural questions. Let me go
25 back. I need to read this. This is important.

1 The decision of the Commission in this case
2 must be based exclusively on the public record. To
3 avoid any appearance to the contrary the Commission
4 requests that persons present not engage the members
5 of the Commission in any conversation during any
6 recess or at any time. In addition, there should be
7 no direct contact whatsoever with any commissioner
8 concerning this matter, be it written, electronic, or
9 telephone. Any materials received directly by a
10 commissioner will be discarded without being read and
11 all calls will be ignored.

12 The staff will be available throughout the
13 hearing to discuss procedural questions. Please turn
14 off all electronic devices at this time so not to
15 disrupt these proceedings.

16 If anyone did not take the oath -- let's just
17 do this; would all individuals wishing to testify
18 tonight, please rise to take the oath?

19 MS. SCHELLIN: Yes. Please raise your --

20 CHAIRMAN HOOD: Everyone who's going to
21 testify. Even if you took it the other night, if you
22 want to testify tonight, please rise to take the
23 oath.

24 MS. SCHELLIN: Yes. Please raise your right
25 hand. If there are people in the hallway, would you

1 ask them to come in, please?

2 Please raise your right hand if you are
3 testifying this evening.

4 [Oath administered to the participants.]

5 CHAIRMAN HOOD: Okay. At this time the
6 Commission will consider any preliminary matters. I
7 know I have one. Ms. Schellin, you want to take care
8 of that matter first?

9 MS. SCHELLIN: Yes, we'll take care of that.
10 I don't have any preliminary matters other than that.

11 CHAIRMAN HOOD: For this case? Okay.

12 MS. SCHELLIN: Yes, for this case.

13 CHAIRMAN HOOD: Okay. I do have some
14 business, commissioners, that we need to deal with
15 right quick. This is a roll call vote. In
16 accordance with 405(c) of the Open Meetings Act, D.C.
17 Official Code 2-575(C), I move that the Zoning
18 Commission hold a closed meeting on March the 20th,
19 2017 at 5:45 p.m. for the purpose of obtaining legal
20 advice from our counsel and to deliberate upon
21 without voting on Zoning Commission Case No. 13-14,
22 scheduled as a correspondence item on the
23 Commission's agenda that evening.

24 Is there a second?

25 MR. MILLER: Second.

1 CHAIRMAN HOOD: Okay. Will the secretary
2 please take roll call vote on the motion before us
3 now that has been seconded?

4 MS. SCHELLIN: Yes.

5 [Roll call vote taken.]

6 MS. SCHELLIN: Thank you. Motion carries.

7 CHAIRMAN HOOD: Okay. I request that the
8 Office of Zoning provide notice of these closed
9 meetings in accordance with the act. Anything else,
10 Ms. Schellin?

11 MS. SCHELLIN: No, sir.

12 CHAIRMAN HOOD: Okay. We're ready to get
13 into our case for the night.

14 [Discussion off the record.]

15 CHAIRMAN HOOD: Opponents -- our court
16 reporter is definitely on the ball. I'm going to
17 read what she says. Can you let the witnesses know
18 to give me cards before speaking? So, what she means
19 is, before you come up and take the microphone, once
20 I've called your name, if you can go over to my right
21 and hand her your witness cards, the cards that you
22 get to my left.

23 MS. SCHELLIN: Yes, they're on the table, and
24 she also --

25 CHAIRMAN HOOD: So --

1 MS. SCHELLIN: -- may have some in front of
2 her on the table.

3 CHAIRMAN HOOD: Why don't we do this,
4 everybody who is going to speak tonight, go ahead and
5 get your cards. They're to my left. So, when you
6 come up they will already be filled out, and you go
7 to my right on your way to the table. That's the
8 long way, but go to my right and then come back to
9 the table, that way we can cut down on any confusion.

10 MS. SCHELLIN: And you need to complete two;
11 two cards. Not one.

12 CHAIRMAN HOOD: Two cards. And I ask the
13 court reporter, let me know if you're not getting
14 those cards so we can make that announcement again.

15 Okay. Let me start off, and Ms. Schellin and
16 all of you, everyone can see the names so you can
17 always help me. Not everyone. But, Goddess Adams,
18 Hailey Huget, Claudia Barragan, Leah Walker, Jason
19 Biehl, and Jessica Brown.

20 Okay, we're going to keep going. Loretta
21 Houston, Dr. Anigbo. And if I messed it up, forgive
22 me. Yvonne Johnson, Neeka Sullivan, Valerie Scott.
23 Ms. Schellin, stop me at Valerie Scott for a moment,
24 please.

25 Okay. I see we have some young people here.

1 Are the young people coming to testify, because I'll
2 take them first? The two in the front, you all
3 turned around. You all are the youngest ones I see.
4 I know my glasses are messed up, but I'm talking
5 about you two right here in the front. One of them
6 is leaving. Are you all coming to testify?

7 [No audible response.]

8 CHAIRMAN HOOD: Okay. Come on down. Let's -
9 - come on, Ms. Elliott. Ms. Elliott, come on now.
10 It's good to see you, Ms. Elliott, though. And sorry
11 about the passing. Okay.

12 So, the young people are not testifying.
13 Okay. Let's go to -- where am I at, Ms. Schellin?

14 [Discussion off the record.]

15 CHAIRMAN HOOD: Okay. Valerie Scott is
16 already here. Okay. So, the young people came, so
17 we need one more person. Dorothy Davis. Okay, I got
18 Ms. -- Ms. Davis, didn't you testify? Didn't you
19 testify at the last -- last week? You testified
20 already, right?

21 MS. DAVIS: [Speaking off microphone.]

22 CHAIRMAN HOOD: Hold on, let me say something
23 to you all. Come on, Ms. -- we ain't even got
24 started. You all a part of the -- yeah, so you all
25 were part of the party, right? I'm just going by the

1 list. I'm sorry I don't know you yet, but I know you
2 now. So, you all have already -- part of the party.
3 So, let's give the people we have not heard from a
4 chance. Okay? We cool? Huh? You cool? Okay. All
5 right. So, you all work with me. Work with me.

6 So who we need, Ms. Schellin? Sandra Romero
7 and --

8 [Discussion off the record.]

9 CHAIRMAN HOOD: Okay, Rosa Romero. You
10 testifying? You're not Rosa? Okay. Hold on a
11 second.

12 [Discussion off the record.]

13 CHAIRMAN HOOD: Hold on, let me do this.
14 What's the next name? If I called a name and you're
15 speaking for that person, they can come up. Okay.
16 Where are we at, Ms. Schellin?

17 MS. SCHELLIN: Rosa Romero.

18 CHAIRMAN HOOD: Rosa Romero. Okay. She's
19 here. She's already here. She's speaking for Rosa
20 Romero.

21 UNIDENTIFIED SPEAKER: I'm speaking for Rosa
22 Ann --

23 CHAIRMAN HOOD: No, hold on, hold on. We're
24 not going to do that. We're not going to do that.
25 What are you doing? Explain to me what you're doing.

1 UNIDENTIFIED SPEAKER: I am speaking on
2 behalf of Sandra Romero.

3 CHAIRMAN HOOD: Okay.

4 [Discussion off the record.]

5 MS. SCHELLIN: Okay. That's all we needed to
6 know, both of them. Thank you, Jasmine. Okay. So,
7 the next person is Ana.

8 CHAIRMAN HOOD: Which number is that, because
9 these people --

10 MS. SCHELLIN: My numbers are different from
11 yours.

12 CHAIRMAN HOOD: Okay, let's look at the
13 screen and we can --

14 MS. SCHELLIN: Ana Mendoza.

15 CHAIRMAN HOOD: Okay, yeah. Ana Mendoza,
16 number 53 is where I am now.

17 MS. SCHELLIN: Okay.

18 CHAIRMAN HOOD: Ana Mendoza. Okay. We have
19 two more seats.

20 MS. SCHELLIN: Give your cards to the court
21 reporter before you sit down, please.

22 CHAIRMAN HOOD: Serita El Amin.

23 UNIDENTIFIED SPEAKER: She testify.

24 CHAIRMAN HOOD: She already testified. Thank
25 you. Perry Spiller.

1 UNIDENTIFIED SPEAKER: He's not here today.

2 CHAIRMAN HOOD: He's not here. Thank you.

3 Loretta Houston.

4 UNIDENTIFIED SPEAKER: She testified last

5 time.

6 CHAIRMAN HOOD: Okay. Dr. -- I called that

7 name, Dr. -- okay. Wait a minute. This thing moves,

8 Ms. Schellin.

9 MS. SCHELLIN: Yeah.

10 CHAIRMAN HOOD: We probably could have a

11 session --

12 MS. SCHELLIN: It only shows so many people

13 so that's the problem.

14 CHAIRMAN HOOD: But it moves up here too

15 because I just called some of these names.

16 MS. SCHELLIN: Yeah. Yeah.

17 CHAIRMAN HOOD: Maybe we need to have a

18 session for training.

19 MS. SCHELLIN: Cheryl Brunson.

20 CHAIRMAN HOOD: For me. Cheryl Brunson.

21 Okay. Cheryl Brunson.

22 MS. BRUNSON: Yes.

23 CHAIRMAN HOOD: And I have one more seat.

24 MS. SCHELLIN: Karen Johnson.

25 CHAIRMAN HOOD: Karen Johnson. Karen

1 Johnson. Kelley Frederick. Kelley Frederick is
2 coming? Okay, Brenda Thomas. Brenda Thomas?

3 UNIDENTIFIED SPEAKER: She's not here.

4 CHAIRMAN HOOD: Okay. Thank you. That's the
5 kind of help I need.

6 Essie Buffalo.

7 UNIDENTIFIED SPEAKER: She's not here. She
8 submitted her written testimony.

9 CHAIRMAN HOOD: Okay. That's the kind of
10 help I need.

11 Faye Blackstone.

12 UNIDENTIFIED SPEAKER: Same thing.

13 CHAIRMAN HOOD: Okay. This thing --
14 Mysheicka Turner.

15 UNIDENTIFIED SPEAKER: Same thing.

16 CHAIRMAN HOOD: Daima Lewis. Daima Lewis.
17 Okay, come on. All right. We finally got eight.

18 What I would like to do, and this is
19 typically my practice, I'd like for the young folks
20 to go first, because I know they're -- no, they're
21 leaving. Are the young folks going to testify? You
22 got something you want to say? Come on, young folks.
23 This is good that you're part of the process and I
24 know they have school tomorrow, right? So, we want
25 to make sure you get home and do your homework and

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1 get ready for tomorrow. Don't want to be fooling
2 down here with us all night. Okay. So, who's going
3 to lead us off? I think you look like you're going
4 to lead us off.

5 MS. SULLLIVAN: Me?

6 CHAIRMAN HOOD: Yes. Could you tell us your
7 name and we'll take any testimony. You have three
8 minutes.

9 MS. SULLIVAN: Marshay Sullivan. Sullivan.

10 CHAIRMAN HOOD: Okay, Ms. Sullivan, you have
11 anything you want to tell us?

12 MS. SULLIVAN: Yes.

13 CHAIRMAN HOOD: Okay. Go right ahead.

14 MS. SULLIVAN: I've been around Brookland
15 Manor since my whole life when I was a baby, and I
16 don't want to move there. I don't care if they got
17 bedbugs or what. I just want to stay there with all
18 my friends, and I want -- and when we move back
19 around there, I want, I want a playground, and I want
20 all my friends still to be there.

21 CHAIRMAN HOOD: Excellent. Excellent. Okay,
22 next.

23 MARIANNA: My name is Marianna. I would like
24 to stay in my apartment because I don't want to lose
25 my friends, and I miss them so much. And I just want

1 my mother to come back and I want to see her. And I
2 want my school, and I want my school to be --

3 CHAIRMAN HOOD: Turn your mic back on. Some
4 kind of way --

5 MARIANNA: And I want my school to be not so
6 trashy because our school, we don't barely learn
7 because the teachers don't pay attention to us.

8 CHAIRMAN HOOD: Teachers don't pay attention
9 to you? Do you raise your hand?

10 [No audible response.]

11 CHAIRMAN HOOD: Okay, you keep pressing on,
12 okay? Both of you. I'm very proud of both of you
13 all. I appreciate you all being a part of the
14 process, and you have a special place with me, and
15 I'm sure my colleagues as well. Because at one point
16 in time we were in school. And when I was in school
17 I didn't have the nerve to get up and testify and do
18 nothing like this. And matter of fact, as old as I
19 am now sometimes I get nervous when I talk in front
20 of folks. So, I want to commend you all, I want you
21 to do well in school, and keep learning. Do what you
22 can to keep pressing on. Okay?

23 MARIANNA: Okay.

24 MS. SULLIVAN: Okay.

25 CHAIRMAN HOOD: All right? All right. I'm

1 proud of you.

2 [Applause.]

3 CHAIRMAN HOOD: Now, I have one more thing to
4 say to you. I want you, when you go home, I want you
5 to stream this and see yourselves and watch
6 yourselves, show all your friends what you all did
7 tonight. Most people don't watch this because they
8 go to sleep on us.

9 MARIANNA: Some of my friends don't trust me.

10 CHAIRMAN HOOD: Oh, I have a few people like
11 that too, but you can tell them that you were down
12 here, and you can prove it because you're streaming
13 live and there's a lot of people across the city
14 right now actually who will actually watch us. So,
15 when you go home you can play it back to your friends
16 and yourself, and you can see yourself. Okay?

17 MARIANNA: Okay.

18 CHAIRMAN HOOD: All right. You all going to
19 stay there because we might have some questions for
20 you.

21 MARIANNA: Okay.

22 CHAIRMAN HOOD: We'll start to my left down
23 here. Turn your mic on.

24 MS. HUERTA: Hello. My name is Esmeralda
25 Huerta. I am interning with One D.C., and I've been

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1 meeting with the Romeros. Rosa is the mother, Sandra
2 is the daughter. And a few weeks ago I took their
3 testimony in case they weren't able to come, and
4 earlier yesterday they asked me to speak on their
5 behalf because they wouldn't be able to make it. So,
6 I'm going to begin.

7 Rosa Romero and Sandra Elizabeth Romero are
8 both Latinx immigrants. Both are cancer survivors,
9 and Rosa is currently undergoing treatment. Sandra
10 has six children, all of whom live with her. They
11 are both unable to work and receive government
12 assistance. They are enrolled in a program through
13 Brookland Manor that allows them to receive
14 subsidized housing despite the fact that their
15 Section 8 housing hasn't been accepted in the last
16 couple of years.

17 These are Rosa's words. "Things are good
18 right now. They offer to let us live here in an
19 apartment that has four bedrooms. We don't know the
20 cost of the apartment, nor the name of the program
21 through Brookland Manor that lets us live here.
22 Right now, we are paying \$180 a month. It means a
23 lot that we are able to live in this apartment. For
24 the kids, it means that they aren't cooped up. They
25 have space to run around and play. And the adults

1 are not always here because we work. But all
2 together, when we go to sleep at night, the apartment
3 fills up."

4 "The issues is that with a family this large
5 we can't be moving from one apartment to the other.
6 We have kids, and physically we can't. My daughter,
7 Sandra, cannot move heavy things. Me either. I am
8 limited and at most what I can move is four pounds at
9 a time. Of course, we can try to find someone to
10 move things for us, but those things cost money and
11 where is that? How would we pay for that?"

12 "I am currently undergoing radiation and
13 chemotherapy treatment. I'll be starting up again
14 soon after having finished in October, because they
15 found something in my chest. It's the cancer. I've
16 been unemployed since July 17th, 2016, as I deal with
17 it."

18 Sandra, her daughter, interjects, "There are
19 many things that I am unable to do. I have to look
20 for a job where I don't lift more than 10 pounds at a
21 time. But all the jobs I am able to get require some
22 sort of lifting. I've been without a job for a few
23 years."

24 Rosa continues, "Since Sandra left this
25 country she has not been able to work. She became

1 very ill and was struck with lymphoma. She has been
2 surviving cancer for 10 years and her pregnancies
3 have affected her greatly. She now wears a
4 prosthesis and cannot walk straight. If you push her
5 she will fall, so she must always be careful. The
6 activities that she does are very limited. The only
7 thing she is able to do is care for her children,
8 which is also hard work. At the very least, we are
9 all here together taking care of one another. I
10 don't know if I will be able to return to my job.
11 I'm a housekeeper and that work is heavy and
12 difficult. I don't know when I'll be able to
13 retire."

14 "The process itself is very confusing. I
15 cannot read or write. My daughter can read and write
16 a little bit. But what's going to happen if this
17 redevelopment plan happens? It took me seven months
18 to find the last apartment for myself and the kids.
19 Do you know what it cost me to find this one? I even
20 had to go to court. Each morning I woke at 8:00 in
21 the morning to find someone who would help me find an
22 apartment, or help me fill out papers. I couldn't
23 find a place for us to live. Sometimes, I put up to
24 \$200 to have someone help me make a payment."

25 CHAIRMAN HOOD: Can you -- how much -- can

1 you give us your closing thought? Or her closing
2 thought?

3 MS. HUERTA: This will take 30 seconds.

4 CHAIRMAN HOOD: Okay.

5 MS. HUERTA: "What we need is help. We need
6 stability. I am satisfied with Brookland Manor
7 because they gave me a helping hand with the
8 apartment we live in right now. But I need them to
9 continue helping me. Apparently four bedroom
10 apartments cost up to \$2,300 to \$2,400 a month. How
11 am I ever going to find that in the situation I am
12 in?"

13 "We want to tell Brookland Manor that they
14 allow us to remain and not displace us. If they come
15 in and tell us we can't live here anymore, life will
16 become very difficult, especially for me. It will be
17 difficult finding a new apartment. People don't want
18 to rent out apartments to families with this many
19 kids. They think we cannot pay."

20 CHAIRMAN HOOD: Okay. Thank you. Next.

21 MS. ADAMS: I am Goddess Joanne L. Adams.
22 I'm a resident of Brookland Manor apartments, born
23 and licensed as a god, ruler, and spiritual police,
24 and now serving as a president for tenant
25 association. As before, I explained not to give Mr.

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1 Ford Sr. and Jr. the right to remodel because of the
2 -- because they owe me for this rate crime being in
3 my life and on his property for liability from both
4 men. He doesn't have any interest to sell the
5 property to resident; that is the law. When you tell
6 us residents you wish to demolish and remodel, it's
7 in the Tenant Survivor Guide book. He has to give us
8 the first right to purchase.

9 Mr. Ford Sr. and Jr. had illegal notices sent
10 out to residents to relocate to their desired area on
11 site. Ms. Young and our property manager -- Ms.
12 Young, our property manager, and her staff, help with
13 notices and questioning. Without knowing their
14 rights to have first right to purchase, legally to
15 remain in the home, to disregard his notices not to
16 relocate illegally. He illegally vacated 12
17 buildings of residents on 1200 block of 14th Street,
18 and 1300 block Saratoga Avenue Northeast. All not
19 prepared and alarmed to notice to relocate without
20 the residents' permission, and pushed to just to do
21 as letter says.

22 Some are still present and others gone. Mr.
23 Ford Sr. knew I wanted this property for illegal rate
24 and hate crime living on it, and did this to despite
25 my interest. To steal and not sell. The office as

1 my assailants, like the owners allowing them to
2 practice witchcraft and rape assaults. Other devout
3 oral, physical assaults by a main man and other work
4 for owners as his employers have work in my home.
5 They work as his employer as representatives to
6 advertise his redevelopment and confuse residents.
7 Technicians in rental office as ground keepers,
8 contractors, and community center reporters -- excuse
9 me, porters, over property site.

10 I see personally who my assailants are,
11 Caucasians and it's many races as neighbors. I gave
12 a legal notarized document from this owner -- from
13 this owner to landlord and commissioners.

14 You can read the rest. You on here.

15 CHAIRMAN HOOD: Thank you. Next.

16 MR. CIESLEWICZ: Hi. My name is Luke
17 Cieslewicz. I am speaking in place of Hailey Huget,
18 who could not be here tonight, on behalf of D.C.
19 Chapter of the Democratic Socialists of America. I
20 have a statement that's been submitted to the record,
21 so I'll just kind of read some highlights as well.
22 And I live in 5C, as well, within D.C.

23 D.C. is in the middle of an affordable
24 housing crisis. I'm here today as a representative
25 of Metro D.C. Democratic Socialists of America. We

1 are a rapidly growing organization here in D.C. that
2 fights for social, racial, and economic justice. We
3 call upon the Zoning Commission to halt Mid-City
4 Financial's violent displacement of working class
5 people of color at Brookland Manor. We view Mid-City
6 Financial's proposed plan as not only a violation of
7 tenant's rights to affordable housing, but a promise
8 to compromise the health and well-being of the entire
9 community.

10 We support the demands made by the Brookland
11 Manor/Brentwood Village Resident Association and One
12 D.C., that the Zoning Commission block this
13 redevelopment from moving forward until or unless
14 Mid-City Financial immediately stops doing the
15 following; engaging in intimidation tactics to force
16 tenants off the property, including harassment at the
17 hands of a private armed security force,
18 discriminating against families by eliminating three,
19 four, and five bedroom units from the redevelopment
20 plan, discriminating against low income individuals
21 and exacerbating the affordable housing crisis by
22 cutting the number of units of affordable housing in
23 their redevelopment plan, and contributing to the
24 forced displacement of residents through the erection
25 of fences that restrict the freedom of movement of

1 disabled persons and restrict the ability of
2 residents to move freely within their own community.

3 Zoning guidelines make it clear that any plan
4 not considered a community benefit should not be
5 approved. D.C. DSA argues that any plan that does
6 not cede to the reasonable and viable demands of
7 current Brookland Manor tenants cannot be considered
8 a community benefit, and should therefore not be
9 approved. Metro D.C. DSA will not stand by while our
10 neighbors and fellow D.C. residents are violently
11 displaced from their homes in the name of profit.

12 We implore the Zoning Commission to heed the
13 imminently reasonable and viable demands of Brookland
14 Manor/Brentwood Village Resident Association and One
15 D.C., and preserve racial and economic diversity in
16 our neighborhoods. Thank you.

17 CHAIRMAN HOOD: Thank you. Next.

18 MS. VELASQUEZ: Hello, my name is Citlalli
19 Velasquez, and I'll be reading Ana Mendoza's
20 testimony, as she's requested that I do that. She
21 wasn't able to make it today. Her eldest daughter
22 just had a baby this week.

23 Yes. So, "A security guard shouted at -- a
24 security guard shouted at my son. They took a
25 picture of my son and threatened to call the cops on

1 him if he didn't leave the outdoor area. The
2 security guards also harassed my friend and I while
3 we were talking in our car, even though we weren't
4 doing anything. The security measures have escalated
5 recently. Violence was common on our street, on 14th
6 Street, and securities never did anything about that
7 situation. But now that they're more aggressive for
8 petty things like my children and me being outside."

9 "Right now my daughter's room has a broken
10 window. When they were demolishing the buildings
11 right next to her apartment on 14th Street, the
12 window in my pregnant daughter's room broke from the
13 demolishing movement. My daughter requested that
14 maintenance change the window, and they changed it to
15 one that is in worse conditions."

16 "Maintenance also won't fix the heater in one
17 of my rooms of my children after multiple requests.
18 The light outside of our apartment door doesn't work
19 either. But I thought they'd fix it since it's part
20 of an entire building, not just our apartment."

21 "Our ceiling also has water stains and is
22 expanding, and maintenance won't fix it, even after
23 multiple requests. Maintenance also hasn't gotten
24 rid of the rats. They just put rat traps, but they
25 don't work and the rats keep coming back."

1 "Our family is big and the subsidy is
2 important for us. I'm a single mother and I don't
3 want to move far because I need my kids to finish
4 school in the area. The Metro accessibility is
5 important for my family and me. I don't want to move
6 to a different community with people I don't know.
7 We deserve decent housing situation. We live through
8 really rough situations at Brookland Manor and I want
9 to stay to finally see the new changes. We don't
10 want to leave our community. We're used to it here."

11 "My 21-year old daughter applied for an
12 apartment at Brookland Manor for the same subsidy I
13 have. She's on the waiting list to have her own
14 apartment with her new family. She doesn't have a
15 car and it would be bad if she had to move somewhere
16 else without a train stop or accessible
17 transportation. She doesn't have any credit, so
18 finding a place to live would be difficult outside of
19 Brookland Manor. She doesn't want to live far from
20 her siblings and me. We don't want to be separate
21 from each other. That's our main concern."

22 "She's already been looking for daycare close
23 by and for jobs close by, so her and her newborn baby
24 can live close to me and so I can help her once the
25 baby is born." Thank you.

1 CHAIRMAN HOOD: Thank you. Next?

2 MS. BRUNSON: Cheryl Brunson. I been living
3 at Brookland Manor since 1994. When I first moved
4 there, it was myself, my two daughters, and my son.
5 They are now 30, 31, and 39. The older kids no
6 longer live with me and I am now raising my
7 grandkids. So now it's me, my grandson, Gino, who is
8 17. He's currently just turned 18. And my
9 granddaughter, Marrianna, who is eight years old.
10 It's the three of us now living at Brookland Manor.

11 When I first moved there it was very -- it
12 was very family oriented. Everybody knew everyone,
13 and we all shared in whatever we needed. Everybody
14 shared and we did things as a family in the
15 neighborhood. We would sit out, and out on the
16 front, and watch each other's kids playing together,
17 watching the fellas play ball on the basketball court
18 with the teenage boys, the teenagers would play --
19 would play ball with the old-timers. And the old-
20 timers were showing the younger boys how to play
21 ball. And the atmosphere was phenomenal.

22 In the last couple of years since they have
23 started this redevelopment stuff, I have seen
24 frustration on my neighbors' face, stress, kids are
25 stressed because they are being moved around the

1 property from one place to another, not knowing where
2 they -- not knowing where they will be moving to
3 next. When you see vacant buildings all around, when
4 you been at Brookland Manor for so many years and
5 never saw vacant apartments, that's very stressful.

6 Some of the tactics they have used to push us
7 off the property include the security guards. In all
8 the time I been in Brookland Manor, there never had
9 been security. When they first came we were told it
10 was for our safety. But I found out it was to sweep
11 us out of the community. They encourage residents to
12 make up things or tell on -- tell things on each
13 other that are happening with neighbors, causing
14 conflict and dividing, I guess.

15 They harass people for things like leaning on
16 the fence, stepping on the grass, standing with --
17 standing at the bus stop waiting for their kids to
18 get off the bus. They say when we come out we have
19 to stand in the tree box, which is an area between
20 the street and the sidewalk. They give us what they
21 call notices of infraction for breaking what they say
22 are rules. And these notices are new because we
23 never had a problem standing in front of our building
24 before all this -- before all this started.

25 Last year, March the 14th, my boyfriend hit

1 me, bust my forehead open. I called the police, but
2 I called the police because I didn't know what to do,
3 because I had a hemorrhagic stroke and I was sure --
4 I wasn't sure if the stint had bust in my forehead,
5 which kept blood matter from mixing with my brain
6 matter.

7 I called my -- I called the ambulance and the
8 police. I got a infraction letter stating that he
9 wasn't allowed on the property anymore. So, I
10 received a notice of infraction because he hit me?
11 These are --

12 CHAIRMAN HOOD: Can you give us your closing
13 thought, please?

14 MS. BRUNSON: Yes. These are the kind of
15 things that's going on at Brookland Manor when it
16 comes down to us relocating and them trying to do the
17 redevelopment. We getting infractions and harassed
18 about where we stand at, and where our kids play at.
19 Thank you.

20 CHAIRMAN HOOD: Thank you. Mr. Tummonds, I
21 want you all to be able to respond to those security
22 guards. I need to know what's going on with that. I
23 actually, after I left here, started paying a little
24 attention to that. So, next.

25 MS. LEWIS: Good evening. Good evening. My

1 name is Daima Lewis. I'm an advocate, a community
2 advocate, and I support the tenants of Brookland
3 Manor and all those who face potential displacement
4 as a result of the Rhode Island Avenue project. I
5 believe it is the responsibility of the Zoning
6 Commission to make decisions that promote and
7 advocate for affordable housing in all areas of the
8 Metro D.C. area.

9 When I relocated to the District,
10 approximately four years ago, I had a very difficult
11 time finding nice housing and an affluent
12 neighborhood for my family. I relocated here from
13 Frederick, Maryland by way of Binghamton, New York,
14 when my children were accepted to Duke Ellington.

15 Despite starting my housing search eight
16 months in advance with a voucher in hand, I was
17 unable to secure affordable housing for my family.
18 As a result, what should have been a smooth
19 transition for what I considered an opportunity of a
20 lifetime for my children's education, became a
21 traumatic experience. Thus, it left my family
22 displaced for nearly nine months, living in a hotel
23 infested with water bugs, mice, and roaches.

24 My family moved from a four-bedroom gated
25 community in pursuit of an artistically diverse

1 education at one of the most prestigious schools in
2 the country, and we were subjected to bedbug bites at
3 a shelter because the District fails to build more
4 and enforce substantial suitable housing with high
5 standards for all of its residents.

6 I was prevented from securing preferred
7 housing because the voucher policies wouldn't allow
8 me to pay a little as \$15 over the allotted rate in
9 the program. Fortunately, my children did well at
10 Duke Ellington and graduated class 2016.

11 However, we have had to endure the hardship
12 and suffering of renting from a slumlord. My unit
13 consistently fails inspections as a result of severe
14 and unsafe maintenance issues. And there are many
15 loopholes and inside deals that allow slumlords to
16 continue to receive payments for units that are not
17 suitable or safe.

18 When my family and I arrived to the District
19 I was fortunate enough to know how to advocate for
20 myself. However, there were tons of pregnant women
21 with much younger children looking for shelter who
22 did not. We waited all day long at the Virginia
23 Williams Center, filling out paperwork to be told at
24 the end of the day that we were not -- that we were
25 not being placed in shelters because it was the

1 summer months. Someone actually had the audacity to
2 tell me to go back to the city where I came from.

3 Homelessness is traumatizing. The District
4 is one of the most economically flourishing areas in
5 this country. D.C. is the place where the President
6 of the United States resides, and for this reason
7 alone no one in the District should be homeless,
8 unless it is by choice. While there is plenty of,
9 quote/unquote, affordable housing in the District,
10 most of those units are not suitable for habitation.
11 They are run down and unsafe. It appears the city
12 limits affordable housing to certain parts of the
13 city that are run down, dangerous, riddled with
14 crime, and filled with unsafe conditions.

15 In other cities that I have lived in, such as
16 Binghamton, New York, and Frederick, Maryland, low-
17 income families and affordable housing existed within
18 economically blended communities. You didn't know if
19 someone owned their home or rented with a voucher
20 subsidy. All the children went to school together
21 and there were no obvious signs of economic class
22 based upon residence.

23 I have a very difficult time understanding
24 why the Capital of the United States does not serve
25 as the blueprint for the model of blended

1 communities. The effort and financial investment
2 that the city is putting into building condos and
3 high-income development should be consistent with
4 low-income communities. Governing agencies need to
5 hold landlords who provide affordable housing
6 accountable to ensure that units are safe, suitable,
7 and not place families in danger.

8 CHAIRMAN HOOD: Can you give us your closing
9 thought, please?

10 MS. LEWIS: Sure. It is unfair that when you
11 are a low-income, when you are low-income, that you
12 are automatically locked into certain areas of
13 neighborhoods or limited to certain types of
14 conditions because of those stereotypes. It is
15 unfair to think that low-income persons are ignorant,
16 not deserving to live in certain areas, or considered
17 careless about their housing conditions. Or to
18 assume that we don't need to be safe.

19 If the city is in support of building mixed
20 income housing, it is anticipated that the city will
21 ensure that Brookland Manor has more than 131 units
22 of affordable housing in the property proposed in the
23 plan. I believe shared responsibility is needed from
24 both the community members and developers for housing
25 to be maintained by keeping our neighborhoods clean,

1 safe, and affordable for all.

2 I do not believe that making people feel
3 imprisoned as a scare tactic by increasing security
4 presence like that being done at Brookland Manor is
5 an effective way to gain trust or convince its
6 current residents that their best interest is being
7 held in regard.

8 In order to -- in order for affordable
9 housing to remain it is important that this shared
10 responsibility is displayed and demonstrated by the
11 community to include the city, the developers in
12 support of people having homes from all income
13 levels. Developers should not be allowed to come
14 into low-income communities --

15 CHAIRMAN HOOD: I'm going to need you to --

16 MS. LEWIS: Okay.

17 CHAIRMAN HOOD: I hate to cut you off, but --

18 MS. LEWIS: To push or bribe people --

19 CHAIRMAN HOOD: Hold on, let me just say,
20 I've asked you for the closing thought.

21 MS. LEWIS: I have three sentences left.

22 CHAIRMAN HOOD: So, let me say this, going
23 forward --

24 MS. LEWIS: Yes.

25 CHAIRMAN HOOD: Because here's one thing that

1 I try to do, is be respectful of everyone's time, and
2 other people want to testify. So, when we hear the
3 bell, I'm going to ask everyone up front to give me
4 the closing thought. You notice I didn't cut people
5 off when you hear the bell. The limit is three
6 minutes because we have to make sure we hear from
7 everyone. So, when I ask for your closing thought --
8 so, when you hear the bell now, know that that's me
9 asking for your closing thought. And closing thought
10 means, closing thought.

11 So, you finish your three sentences, but from
12 here on out, let's give us your closing thought so we
13 can be respectful of others who have come down to
14 testify.

15 MS. LEWIS: Developers should not be allowed
16 to come into low-income communities to push or bribe
17 people out of their homes because they prefer higher
18 income earners, small size families, and those past
19 child-bearing age, inclusive -- exclusively in any
20 particular neighborhood.

21 We, meaning as in a community, ought to have
22 shared responsibility and accountability in keeping
23 communities clean, family friendly, culturally
24 enriched, employment ready, safe, economically
25 diverse, and reflective of all populations residing

1 throughout the city. Mid-City Financial cannot
2 remove affordable housing because they want
3 exclusivity intended to benefit those privileged
4 populations by strategically displacing thousands of
5 low-income families for their convenience and wealth.

6 CHAIRMAN HOOD: Okay, I'm going to have to
7 cut you off.

8 MS. LEWIS: Thank you for listening.

9 CHAIRMAN HOOD: Thank you. Thank you very
10 much. Okay. So, colleagues, any questions of this
11 panel?

12 [Applause.]

13 CHAIRMAN HOOD: Okay. Yes, and here's
14 another thing. We actually -- I mean, it sounds
15 good, but we actually -- except for you two, you can
16 applaud. We typically don't have any demonstrations
17 in the -- if you agree with what somebody is saying,
18 just keep it to yourself. If you disagree with what
19 somebody is saying, keep it to yourself. I'm not
20 talking to you two, though. Okay? All right. No, I
21 wasn't talking to you all.

22 Okay, Vice Chair Miller?

23 MR. MILLER: Thank you, Mr. Chairman. I just
24 want to thank each of you for your testimony.

25 And, Ms. Sullivan? Yes, you. You mentioned

1 that you wanted a playground there. I just wanted to
2 let you know that the redevelopment order that this
3 Commission approved does require there to be
4 playground on the village green, that wasn't there --
5 that wasn't part of the original plan, but it was
6 partly as a result of our questions that there will
7 be a playground there.

8 You might not be interested in that, but
9 there also -- so it was a hope that there would be a
10 grocery store, but it is now a requirement in that
11 order that there be a grocery store.

12 There are a number of changes that were made
13 as a result of the public hearing process, which many
14 in this room participated in, that helped improve the
15 project. But I realize that there's still many
16 concerns that people have.

17 CHAIRMAN HOOD: And we have a question. You
18 have a question for us? This young lady, she has a
19 question.

20 MS. SULLIVAN: I was going to ask will you
21 guys have a guard in there?

22 MR. MILLER: The village green does have a --
23 it's a very big village green that's part of the
24 project, and yes, there is a -- I forget what the
25 name of that garden is. It's a special kind of

1 community -- not community garden.

2 CHAIRMAN HOOD: What we'll do is we'll ask
3 the applicant to respond and then maybe we'll --

4 MR. MILLER: And we'll be --

5 CHAIRMAN HOOD: -- if you're not around, one
6 of the adults will make sure they tell you that. Any
7 other questions up here?

8 MS. SULLIVAN: Okay.

9 CHAIRMAN HOOD: All right.

10 I do want to ask one question, just by a show
11 of hands and if you read the testimony, how many of
12 you all at the table live at Brookland Manor? Just
13 raise your hand so I can see. Okay.

14 I'm very happy to see Mr. Griffin. Actually,
15 we had a case last week and it's always good, and I
16 think was it in Ward 7, I mentioned the same thing?
17 So, I don't want this applicant to think that I'm
18 just picking on you, because I also did it what, two
19 weeks ago in Ward 7. It's good when you see people
20 from the community and from the neighborhood working
21 so we can close some of the gaps. Okay?

22 So, I think you all -- good seeing you. I
23 don't know where you were the other night, but it's
24 good seeing you here this evening. Okay. Thank you
25 all very much. Let me see if the applicant has any

1 cross.

2 And we had a party. Any cross? Does the
3 party -- party in opposition have any cross?

4 UNIDENTIFIED SPEAKER: [Speaking off
5 microphone.]

6 CHAIRMAN HOOD: They're for you? Okay, well,
7 sometimes people do. Sometimes people do cross.

8 The ANC, do I see anyone from -- what is it,
9 5C and 5E? Anyone here from the ANC?

10 [No audible response.]

11 CHAIRMAN HOOD: So am I. You and I got
12 something in common.

13 UNIDENTIFIED SPEAKER: [Speaking off
14 microphone.]

15 CHAIRMAN HOOD: All right. Okay. Thank you
16 all very much. We appreciate it. And it's always
17 good to see the young folks come down. You know
18 what, we're glad to have you all. You all want to
19 stay there? You want to sit there?

20 [No audible response.]

21 CHAIRMAN HOOD: Okay. All right. You can
22 sit there. Are you going to testify again?

23 PARTICIPANT: [Speaking off microphone.]

24 CHAIRMAN HOOD: Fine with me. Okay. Let's -
25 - so, Ms. Schellin, we're going to call six. We'll

1 let the young folks sit there.

2 MS. SCHELLIN: Yes. Eugene Puryear, Yasmina
3 Mrabet. I know I got that one wrong, even though she
4 told me what it was. Claire Cook, Chris Otten.

5 CHAIRMAN HOOD: Is there another young person
6 that I'm missing in the audience? I --

7 MS. SCHELLIN: Kristi Matthews.

8 CHAIRMAN HOOD: Hold on for a second, Ms.
9 Schellin. I do this -- there's another young person
10 in the audience. I don't see him. I mean -- now,
11 come on now.

12 UNIDENTIFIED SPEAKER: [Speaking off
13 microphone.]

14 CHAIRMAN HOOD: So no. I'm looking at a
15 young person here, I'm looking at a young person here
16 that I didn't see the young lady. Yeah, okay. Does
17 she want to testify?

18 [No audible response.]

19 CHAIRMAN HOOD: Okay. All right. Ms.
20 Schellin, where are we?

21 MS. SCHELLIN: So, the young person is not
22 going to come?

23 CHAIRMAN HOOD: No.

24 UNIDENTIFIED SPEAKER: [Speaking off
25 microphone.]

1 MS. SCHELLIN: Oh, they are coming. Okay.
2 Then we will have two seats left then, since the
3 little ones are going to stay at the table.

4 CHAIRMAN HOOD: Okay. So, we have two
5 coming. So, that will be it. There's one other seat
6 there. You know, I believe to make the young folks
7 feel as comfortable as possible. If they want to sit
8 here, I think they should sit there. So, that's my
9 discretion. So.

10 We had another young person that's coming?
11 Now, wait a minute now. I know you're not the young
12 person. Oh, okay. Okay. I see you.

13 UNIDENTIFIED SPEAKER: [Speaking off
14 microphone.]

15 CHAIRMAN HOOD: Oh, you all, all together.
16 Okay. Well, why don't we do this? Why don't you all
17 come up in the next panel? Just hold tight. Ms.
18 Schellin, we'll make sure we call you all since you
19 all are together.

20 Okay. Let's start to my right.

21 MS. SCHELLIN: Do we want to add two more
22 people to the table?

23 CHAIRMAN HOOD: That's okay. Let's just --

24 MS. SCHELLIN: Okay.

25 CHAIRMAN HOOD: -- deal with these four right

1 now. You can begin.

2 MS. COOK: Me?

3 CHAIRMAN HOOD: Yes.

4 MS. COOK: All right. Good evening. My name
5 is Claire Cook, and I am an administrative organizer
6 with One D.C. I am also an adjunct professor of
7 sociology at the George Washington University. I am
8 here this evening to express my opposition to Mid-
9 City's second-stage PUD and to support Brookland
10 Manor resident demands to preserve existing
11 affordable housing at the property.

12 I have been a resident of D.C. for six years.
13 My graduate thesis at G.W. examined new-build
14 gentrification in the neighborhood now known as NoMa,
15 and how the development of luxury market-rate housing
16 in Northeast D.C. has resulted in direct and
17 exclusionary displacement of low-income black
18 residents in the midst of D.C.'s housing crisis.

19 I have engaged in organizing around the right
20 to housing for the last four years. I am here
21 tonight to say that the development of more market
22 rate luxury housing in D.C. is not sustainable. Over
23 the last few decades we have witnessed a major shift
24 in demographics as increasing numbers of young,
25 mostly white, highly educated people move to the

1 city. However, the median income for D.C.
2 Millennials is only 43 grand a year. As Housing in
3 D.C. becomes more and more unaffordable, wages remain
4 stagnant, and federal higher increases, where do
5 young professionals stay in D.C.? Can these young
6 professionals being targeted afford D.C. even now?

7 In January, 2016, Toby Bozzuto of the Bozzuto
8 Group, a well-known D.C. developer, was quoted in an
9 article as saying, every new building we built is so
10 expensive. The land construction labor that the
11 rents we have to charge to make a feasible return are
12 high. So, to what degree are we creating a transfer
13 housing just for the elite, and at what point does
14 housing become unaffordable? At what point does it
15 become not sustainable to rent?

16 I feel we may end up like that. Even the
17 developers in this city know we are creating housing
18 for a small wealthy elite. Even though they know
19 this is not sustainable urban planning. Equitable,
20 smart communities require space for both young child
21 with adults, and families, small or large, and when
22 we build for our families, we need bedrooms.

23 I ask the members of the Zoning Commission to
24 consider how many bedrooms your family needs. Three?
25 Five? Seven? Would you be willing to house your

1 family in a one or two-bedroom apartment?

2 As you have heard testified, low-income
3 families especially rely on your extended family
4 networks to survive and thrive, to provide
5 transportation, childcare, eldercare, and other
6 support. Breaking up these strong bonds, splitting
7 them to one and two-bedroom units is destructive and
8 violent. Further, people experience root shock when
9 they are displaced, leading to stress-related
10 diseases like depression, heart attack, loss of
11 financial resources.

12 For these reasons, as a D.C. resident, a
13 sociologist, and an organizer, I urge the Zoning
14 Commission to reject the current proposal.

15 CHAIRMAN HOOD: Okay. Thank you. Next.

16 MS. MATTHEWS: Good evening, members of the
17 Zoning Board, as well as the community. My name is
18 Kristi Matthews. I'm a member of One D.C. and the
19 grass root advocacy coordinator for the Washington
20 Legal Clinic for the homeless.

21 I'm here this evening to talk about my
22 experience working with tenants at Brookland Manor
23 and what the current redevelopment plan for Mid-City
24 Financial means to low-income communities of color.
25 I will also talk about your support versus your

1 rejection of this current plan drafted would say
2 about your beliefs of these communities. I've been
3 working out at Brookland Manor with residents since
4 April 2016.

5 In August of 2016 while doing door knocking
6 for the community education meetings and talking with
7 residents about the current redevelopment plan, and
8 their rights as tenants to fight that plan, I was
9 asked to leave the property by Mid-City Financial
10 security guards, or risk being arrested with other
11 outreach workers, organizers, and lawyers.

12 Not only is Mid-City Financial proposing a
13 plan that would place hundreds of residents, but also
14 at every turn the owner has attempted to block the
15 rights to basic organizes. Some may even argue that
16 basic human rights to informations (sic) about
17 decisions that may impact their lives.

18 The process of being kicked off the property
19 was not only demoralizing, but infuriating. Tenants
20 were being shown that not only did the fact that they
21 may face homelessness not matter, but also it did not
22 matter if they wanted to try to use the laws to fight
23 it. Capitalism trumped community at this moment and
24 seems to trump community at every aspect of the plan
25 for redevelopment that Mid-City Financial is leading

1 today at Brookland Manor.

2 The fact that the owner wants to build 1,750
3 units of housing on this property and only wants to
4 replace 373 units of affordable housing compared to
5 our demand to replace all 535 of affordable housing
6 shows that the root of this redevelopment plan are
7 racist policies, ideology, and theories about
8 communities of colors, as well as low-income
9 communities.

10 Like a wolf in sheep's cloths, this plan is
11 being presented by the owner and some city officials
12 and others in the community as an affordable housing
13 plan. But the truth remains that the affordable
14 housing is more of a casualty than a purpose of the
15 current plan. Less than a quarter of the 1,740 units
16 that Mid-City Financial plans to rebuild at Brookland
17 Manor are marked to be affordable housing units,
18 which shows those struggling to remain housed,
19 looking for housing, or a risk of losing housing,
20 that their experience and needs are not the driving
21 force for this current plan.

22 If any member of the Zoning Commission
23 supports this plan as it currently is drafted, that
24 can only be for two reasons. Either you, yourself do
25 not care about the lack of affordable housing that

1 exists in D.C. Market today, or you cannot see the
2 wolf that is attempting to pass a plan for affordable
3 housing. That's actually a plan to increase the cost
4 of housing in this community.

5 Regardless of that -- your reason, ignoring
6 the situation and letting this plan go forward is
7 making one clear statement to the community members
8 currently living at Brookland Manor, as well as the
9 thousands of community members looking for housing on
10 a daily basis in D.C. You do not care, value, or
11 respect their trouble -- struggle. The racism and
12 capitalism that is driving the redevelopment of this
13 current plan that is drafted, not only is obvious to
14 us but should be obvious to you as well.

15 You have a choice to ignore this reality and
16 vote with your eyes wide shut, or support the current
17 plan -- and support this current plan as it's
18 currently proposed. Or, vote with your eyes wide
19 open and reject this plan. Thank you for listening.

20 CHAIRMAN HOOD: Thank you. Next?

21 MS. RAJEH: My name is Nawal Rajeh, and I'm
22 testifying on behalf of the organization, Justice
23 First. It was my understanding I'd have five minutes
24 as an organization. Is that correct? Okay, thank
25 you.

1 And, this is the testimony of Eugene Puryear,
2 who could not be here this evening.

3 "It is the opinion of our organization,
4 Justice First, that the PUD does not, as is required
5 by the governing title, comply with the intent and
6 purposes of said title. More directly, we hold that
7 the PUD incorrectly presents its affordable housing
8 component as a public benefit, and as such does not
9 present either a commendable number or meaningful set
10 of public benefits as required by the PUD evaluation
11 standards."

12 "The applicant lists new and much needed
13 affordable housing as the number one reason by which
14 the proposed project would have an impact, either
15 favorable or capable of being mitigated to the
16 surrounding area. Any examination of the
17 demographics of this area in conjunction with the
18 proposed affordable units and the project at large
19 cast significant doubt on this claim."

20 "First and foremost, the applicant
21 misleadingly describes the extent of affordability by
22 disconnecting the conversation on affordability from
23 their presentation in the first-stage PUD approved by
24 this Commission. The applicant states that in this
25 block there will be 331 units of housing at varying

1 levels of affordable. The applicant's proposed
2 development would limit 200 of those 331 units,
3 purely to seniors. In the approved first-stage PUD
4 the applicant is held to only 373 units, assuming the
5 Section 8 program is continued at the property. The
6 applicant is projecting 424 units, based on their
7 consideration of how many replacement units will be
8 detailed by other testimony. Clearly -- but units
9 will be needed. However, that number should not
10 truly be considered at all since as we detailed --
11 was detailed by other testimony, clearly the
12 applicant has engaged in a displacement campaign to
13 reduce that number."

14 "There are currently 438 occupied units at
15 the property, and 147 seniors. Given that 200 units
16 are devoted entirely for seniors, that would mean
17 there are only 173 units left for the occupants of
18 the other 238 units during the entire project, not
19 simply the block in question in this first phase of
20 the second-stage PUD application."

21 "Clearly, this implies a certain level of
22 displacement with even the best case scenario leading
23 to dozens of people being displaced, hundreds in the
24 worst case."

25 "In other words, it is impossible to claim

1 the project is addressing a dire affordable housing
2 shortage as the applicant claims, given that in the
3 absolutely best case there would be a reduction of
4 111 affordable units, which again could actually mean
5 more than 111 people depending on the unit
6 occupancy."

7 "The census track that is in this area has
8 had a significant change over the past 16 years. The
9 black population has decreased 11 percent since the
10 year 2000 from 99 percent to 88 percent of the
11 population. The white population has increased
12 roughly seven percent in the same period. The median
13 household income for whites is \$101,000, while for
14 blacks it is 41,000. There are only seven white
15 households receiving SNAP benefits, compared to the
16 660 black households, 81.2 percent of whites had a
17 bachelors or higher as compared to 17 percent of
18 blacks. These trends mirror the broader development
19 trends in the District of Columbia during this time,
20 and decrease in the black population. Particularly
21 on the low-income side as a marked increase in white
22 population on the higher income side."

23 "The applicant is proposing somewhere north
24 of 1,200 market rate units. Recent studies have
25 pegged the median rent for a one-bedroom apartment at

1 \$2,270 a month. This essentially means that they are
2 adding market rate and fairly affluent tenants equal
3 to 22 percent of the current population of the census
4 track; a massive increase."

5 "Given that as we noted above, this comes
6 with a displacement of several hundred people most
7 likely, this clearly exacerbates the trend and the
8 census track, in the subject area to the
9 Comprehensive Plan significantly, which returns us to
10 the title itself."

11 "In Section 305.2 of Title 10 of the zoning
12 regulations, it is stated that public benefits are
13 superior features. As we also noted above, they must
14 also be either meaningful or providing a commendable
15 amount of said benefits to qualify as a public
16 benefit. First and foremost, the number and
17 increased affluence of the new residents brought to
18 the area by this property is clearly out of step with
19 the priorities for the area described in the
20 Comprehensive Plan."

21 "Secondly, the number of affordable units to
22 market rate units does not in fact address the
23 affordable housing crisis in the District. It
24 reduces the number of affordable units by at least
25 100 units, and adds well over 1,000 units at much

1 higher market rates. Thus, it in fact exacerbates
2 the District's affordable housing crisis."

3 "Based on the above, we urge the Zoning
4 Commission to refuse approval to the second-stage PUD
5 until the number of affordable units is increased to
6 require one-to-one replacement for every unit at the
7 existing bedroom sizes. In other words, 535 units of
8 affordable housing designed so that every person can
9 remain, based on their existing needs and additional
10 residents in need of affordable housing can be
11 brought into the property." Thank you.

12 CHAIRMAN HOOD: Okay. Thank you. Next.

13 MS. MRABET: My name is Yasmina Mrabet and
14 I'm an organizer with One D.C. I've been working
15 closely with the resident's association and tenants
16 at Brookland Manor, many of whom are One D.C.
17 members. I'm here to attest to what I have witnessed
18 on the property, including the extreme stress and
19 trauma that Mid-City has been causing many families,
20 people with disabilities, and seniors.

21 Regarding families, Mid-City has openly and
22 brazenly used tactics to break families up in order
23 to move them into smaller units. I have spoken with
24 multiple tenants who are living in over-crowded one-
25 bedroom units, mothers with three, four, five, and

1 even six children in one-bedroom units. Mid-City in
2 its own marketing literature has stated that it does
3 not meet occupancy standards because residents are in
4 the wrong sized units.

5 However, Mid-City continues to board up
6 buildings that could be housing these residents that
7 are crowded into small units. If Mid-City in its
8 current development doesn't meet occupancy standards,
9 what should be expect with a redevelopment plan that
10 aims to significant reconfigure bedroom sizes such
11 that families are left out in the cold?

12 Leading up to the first part of this hearing,
13 before February 23rd, I received calls and texts from
14 tenants who informed me that they were repeatedly
15 called and instructed by property management at
16 Brookland Manor to write statements in support of the
17 redevelopment. You can read for yourselves, the
18 submissions on the zoning website and see that
19 tenants who wrote statements wrote things like, "I
20 hope I can stay in my unit for the redevelopment."

21 Mid-City's duplicitous and unprincipled
22 behavior using property management to demand
23 statements from tenants, and then submitting those
24 statements as evidence of support for a project that
25 would push out the very tenants who wrote them,

1 speaks volumes about their lack of regard and respect
2 for tenants on the property. This is what Mid-City
3 calls caring about families.

4 If Mid-City cared about families they would
5 not propose to eliminate family-sized units in a
6 community where family-sized units have existed for
7 50 years. They would not propose to break up
8 intergenerational families. They would not propose
9 to cut down affordable housing for working-class
10 people of color. Mid-City's unwillingness to
11 accommodate the needs of families shows that they
12 clearly do not want families on the property in the
13 new redevelopment.

14 Regarding tenants with disabilities, Mid-City
15 has erected fences all over the property, causing
16 residents with disabilities to have to travel long
17 distances around the property to reach their cars and
18 to reach the community room.

19 There are locked iron gates all around the
20 property that prevent tenants, especially those with
21 disabilities from easily accessing the community room
22 for tenants' association meetings.

23 Regarding seniors, many seniors live with
24 their families. Many seniors take care of
25 grandchildren. Many seniors have expressed to me

1 that they do not want a seniors-only building, as is
2 Mid-City's plan in the redevelopment. Many seniors
3 need their families and their families need them.
4 They do not want to be segregated from their
5 community in a seniors-only building.

6 One interesting thing to note, as was noted
7 in the previous testimony, is that there were a
8 little over 140 seniors on the property as of the
9 last zoning hearing. Yet, Mid-City proposes building
10 200 senior-only units. Who are they building for?

11 Brookland Manor tenants want comfortable
12 family-sized units and they want them to be
13 affordable. So, we are fighting for the preservation
14 of affordable housing at Brookland Manor, not only
15 for tenants who live there now, but for those who
16 were displaced and want to return, and for those
17 around the city who are unable to access affordable
18 housing.

19 Mid-City, on multiple occasions, has
20 interfered with the tenant's right to organize. The
21 resident's association attorney and One D.C.
22 organizers have been harassed and threatened with
23 arrest by armed security officers on the property. I
24 personally have been questioned by security while
25 canvassing the property, and I have also been blocked

1 by Mid-City from attending meetings with tenants who
2 asked me to be present with them on two separate
3 occasions. Most recently at a meeting with tenants
4 and Michael Mears, which we agreed to in hopes of
5 discussing how we could work with Mid-City, I was
6 told by Michael Mears that I had to leave the meeting
7 because One D.C. is a named plaintiff in a family
8 status discrimination lawsuit against Mid-City.

9 When tenants informed him that they are also
10 members of One D.C., he began stuttering and gave no
11 real response as to whether or not he could meet with
12 them, given their status as members of One D.C.

13 Tenants wanted me there, however they were
14 told by Michael Mears that he would not meet with
15 them if I was in the room. Mid-City has refused to
16 sit down with tenants and their legal -- and
17 organizing teams to discuss the redevelopment in good
18 faith.

19 I'd like to go through a few pieces of major
20 misinformation that Mid-City has sent out to the
21 public about the nature of their activity and plans
22 at Brookland Manor. They have publicly said that
23 nobody is being displaced. I would ask the Zoning
24 Commission to review the letter that the Neighborhood
25 Legal Service Program wrote to Ward 5 councilmember,

1 CHAIRMAN HOOD: Let me just ask this again,
2 how many people live in Brookland Manor that's at the
3 table? Raise your hand. Well, no, no, I mean at the
4 table. I know you two, the two young ladies. How
5 many people? No one? Okay. Thank you.

6 All right. I want my two young folks and I
7 guess the older person that's with them, they can
8 come forward. Ms. Schellin, we need three more
9 people.

10 You all going to stay there the whole
11 evening?

12 [No audible response.]

13 CHAIRMAN HOOD: Oh, okay. Hey, I'm not going
14 to tell you to move.

15 MS. SCHELLIN: Miriam Savad, or Savad.
16 Alison Rogers, Caroline Petti.

17 CHAIRMAN HOOD: I don't see Ms. Petti.

18 MS. SCHELLIN: No, I don't either. Brett
19 Williams. Jennifer Hosler. She's coming. One more.
20 Vincent DeLaurentis.

21 CHAIRMAN HOOD: Okay. Looks like we have a
22 full --

23 MS. SCHELLIN: Yup.

24 CHAIRMAN HOOD: -- complement. Why don't we
25 start with the young folks first? Is that the order

1 that you have it in? Okay.

2 TABEN MAASSARANI: Okay? Okay. Good evening
3 Zoning Board. I'm a neighbor of Brookland Manor. We
4 live across the street and I think you should not
5 weigh money over people. Especially when the burden
6 on the tenants, who will lose their affordable
7 housing is so much greater than the burden of not
8 making a big profit. The tenants may become
9 homeless. And even if they get another home, they
10 may be far from the neighborhood they call home.

11 And some of these people that we are talking
12 about, are kids like me and them, right over there.
13 And him. Imagine, imagine you're one of those kids.

14 Z. MAASSARANI: Hi. I also live next to
15 Brookland Manor. That means there are lots of
16 friends there that I can make. I do not want these
17 friends to become homeless. If you're going to take
18 away their affordable houses, then you should give
19 them affordable houses wherever they want.

20 TAREK MAASSARANI: Dear Zoning Commission,
21 thank you. As close neighbors of Brookland Manor
22 residents we wanted just to make it clear, one simple
23 thing, that we value a community that cares for its
24 most valuable -- it's most vulnerable members and
25 their most basic needs. More than upscale

1 development, fancy houses, attractive landscaping,
2 and other infrastructure and services that are not
3 currently accessible to all.

4 And yet, I can see a win/win here, if the
5 developers and city ensure that any new housing
6 creates as many or more affordable units as it
7 removes. Unfortunately, under close scrutiny, this
8 does not appear to be the case here. Thank you.

9 CHAIRMAN HOOD: Okay. Before we move on, did
10 you all give your names? The two young folks, did
11 you give your name?

12 Z. MAASSARANI: My name is Zaki Maassarani.

13 TABEN MAASSARANI: My name is Taben
14 Maassarani.

15 TAREK MAASSARANI: I'm Tarek Maassarani.

16 CHAIRMAN HOOD: Okay. Maassarani family, let
17 me also say to the two young folks, we appreciate you
18 all coming down. And what's more, what I really like
19 about you both is you came down, you're looking out
20 for your neighbors. That means a lot when you come
21 down and you testify, and you look out for neighbors.
22 So, I want to commend you all both, also, for being
23 part of the process.

24 TABEN MAASSARANI: Thank you.

25 CHAIRMAN HOOD: Did you all know you're

1 probably my neighbor too?

2 TABEN MAASSARANI: Really?

3 CHAIRMAN HOOD: So, if you see me running and
4 I fall out, you all come and get me and take me home.
5 Okay?

6 TABEN MAASSARANI: Okay.

7 Z. MAASSARANI: You live here?

8 CHAIRMAN HOOD: Huh? Yeah, sometimes I try
9 to run, but I found out I'm getting older, and then
10 when you see me limping now, that's because I tried
11 to run. Okay? So, thank you all. We're glad you
12 all are part of the process also.

13 Z. MAASSARATI: Go to the gym.

14 CHAIRMAN HOOD: Well, I do. I do. Okay.

15 Next.

16 MS. HOSLER: Good evening Zoning Commission.

17 Z. MAASSARATI: You're welcome.

18 MS. HOSLER: Good evening, Zoning Commission
19 members. Thank you for your time. My name is
20 Jennifer Hosler, and I am providing testimony as a
21 Ward 5 resident and as a pastor of Washington City,
22 Church of the Brethren, a Christian church in Ward 6.
23 I'm also a doctoral candidate in human service
24 psychology, and a One D.C. volunteer at Brookland
25 Manor.

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1 My testimony tonight is in support of the
2 Brookland Manor tenants and their demands, and
3 focuses on the number of affordable units and the
4 bedroom sizes of the proposed redevelopment.

5 From 2002 to 2013 the District lost half of
6 its number of low-cost housing units, and over the
7 same time, moderately priced units also decreased.
8 And meanwhile, family homelessness is increasing and
9 last year there were almost 1,500 homeless families
10 and more than 2,700 homeless children in the District
11 of Columbia.

12 I am grateful for Mid-City's commitment to
13 continue with Section 8. However, considering the
14 diminishing number of affordably priced units in
15 D.C.'s rising family homelessness, I believe that it
16 is unjust for Mid-City Financial to reduce the number
17 of affordably priced units from 535 to 373.
18 Currently, the unsubsidized units are available below
19 the average market rate. Brookland Manor has been
20 and is a place for families, many of whom are low-
21 income African/American residents.

22 With rising family homelessness and a
23 proposed three-fold increase in density, Mid-City has
24 the ethical obligation to do more for families in the
25 District of Columbia. Additionally, the District of

1 Columbia has an obligation to require developers to
2 do more. I understand that Brookland Manor was part
3 of the late Eugene Ford Senior's vision of meeting
4 the housing needs of the District of Columbia, not
5 the needs of the wealthy or the most privileged, but
6 the needs of regular families.

7 As proposed, the current plan is detrimental
8 to families in the District of Columbia because it
9 reduces both family-sized units, four and five-
10 bedrooms, and affordably priced units. Mid-City has
11 testified before this Zoning Commission that no
12 developers are building four and five-bedrooms, and
13 therefore they argued it is reasonable also not to
14 build them. But this is not an ethical argument
15 considering the number of D.C. homeless families.

16 The market is not catering to families, but
17 to young, urban, middle-class professionals without
18 children, like me. It is up to ethically minded
19 developers to build housing that does not exclude or
20 prioritize my life over the lives of low-income
21 African/American families. So, I urge Mid-City to
22 live up to a vision of a just, diverse, and inclusive
23 District of Columbia. And Zoning Commission members,
24 I urge you to work for a just, diverse, and inclusive
25 District of Columbia, and require Mid-City to keep

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1 the current bedroom sizes and to guarantee 535
2 affordably priced units. Thank you.

3 CHAIRMAN HOOD: Thank you. Next.

4 MS. WILLIAMS: I'm Brett Williams. I just
5 retired after teaching 41 years at American
6 University. I'm an anthropologist. I've studied
7 displacement all over D.C. and I feel like now
8 they're coming for my neighbors. I'm your neighbor,
9 and your neighbor, and your neighbor too, I guess.

10 I have many reasons to oppose this
11 development but I'm only going to focus on two. One
12 is the importance of large families for people who
13 struggle with poverty. And the other is the violence
14 of forced displacement.

15 Brookland Manor houses many extended families
16 in multi-bedroom units. These households also form
17 connections with neighbors. Their support networks
18 do a lot of the social service work that government
19 cannot do as they help people cope with poverty and
20 manage crisis. People help each other, as you've
21 heard, with new babies, childcare, eldercare. They
22 share foods and rides and telephones and space. They
23 help people deal with trips to the emergency room or
24 the dialysis center. They help each other deal with
25 asthma, chores, mental illness, utility bills,

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1 your life like, I guess I have, it's hard to imagine
2 the shock of losing your home, sometimes many times.
3 People lose their networks of care while their health
4 and mental healths worsen. They may suffer from
5 stress, hypertension, asthma, or diabetes already.
6 But these conditions get worse and they find it
7 harder to manage them.

8 Stress families sometimes have to triage
9 their most difficult members, just cast them out
10 because they can't take care of them anymore. And
11 this is not good for anybody.

12 Displaced people double up or go into
13 shelters or the hotels on New York Avenue or the far
14 reaches of the city, or PG County. They are often
15 over-policed there. They never do better.

16 I know Mid-City has promised that all tenants
17 can return, but I just find this hard to believe
18 because there are no right sized units for them. If
19 they do get to return it will be after a long time
20 being tossed around in limbo. And Mid-City holds
21 that only qualified tenants can return, and I'm not
22 ever sure what that means. I know, I was the HUD
23 manager for Ellen Wilson and only one of those
24 tenants got to come back.

25 To conclude, I'm excited by this city's

1 Comprehensive Plan, but I believe the plan rests on
2 two pillars that this development violates. One is
3 sustainability. I think to hear the Anacostia
4 Watershed and prepare for climate change we need to
5 green the city, not invest in huge car-dependent
6 developments. I don't know how Rhode Island Avenue
7 is going to manage all these new big cars that go
8 with luxury housing.

9 But just -- and I can't even imagine the
10 carbon footprint and traffic this new development
11 will create. But even more than that, even more
12 important to the Comprehensive Plan is inclusiveness.
13 To me, this means people of all backgrounds and
14 interests, incomes. By not respecting the extended
15 families and social networks of people who live in
16 poverty, by not taking seriously their family needs,
17 we could become the worst kind of non-inclusive city,
18 one with no room for children, strong families, or
19 people who are poor. Thank you.

20 CHAIRMAN HOOD: Thank you. Next.

21 MR. DeLAURENTIS: Hello. My name is Vincent
22 DeLaurentis, and I am a student at Georgetown
23 University, and an intern at One D.C.

24 Through my work at One D.C., I have been
25 meeting with and getting to know the residents of

1 Brookland Manor for around a year and a half now.
2 And I have spent a significant amount of time at the
3 property. I am here today to urge you to -- or to
4 vote against the proposal submitted by Mid-City, and
5 to urge the Zoning Commission to vote against this
6 proposal.

7 My Jesuit education has taught me that it is
8 important to act as men and women for others. This
9 is a lesson that Mid-City would do well to learn. In
10 my time at Brookland Manor I have seen Mid-City act
11 in a way that does not demonstrate even the most
12 basic concern for the people who live at Brookland
13 Manor.

14 In the year and a half that I have been on
15 the property, I have seen numerous fences put up and
16 a large reduction in the amount of green space
17 available to tenants. The fences make it incredibly
18 difficult for people, especially seniors and people
19 with disabilities, to get around the property, and to
20 stop elderly and disabled people from attending
21 meetings and community events.

22 Also, Mid-City has implemented an aggressive
23 security program that has made living on the property
24 difficult for tenants. Tenants are constantly being
25 watched by the security guards and the smallest

1 incident is turned into a notice of infraction.
2 Tenants cannot feel comfortable walking around the
3 property or being outside. In my time on the
4 property I have noticed that the security is
5 constantly present, not to make the property safer
6 but to regulate and punish the tenants, handing out
7 warnings and infractions that threaten the housing
8 security of Brookland Manor tenants with impunity.

9 I, myself, have dealt with these security
10 guards. On two separate occasions I have been
11 threatened with arrest while talking to and canvassing
12 tenants with the expressed permission of the
13 resident's association. This has interfered with the
14 tenants right to organize. It has intimidated
15 tenants when they are standing up for their rights.

16 Mid-City has talked about creating a diverse,
17 mixed-income community at the new property they are
18 seeking to build. Why, then, are they so afraid of
19 me, a middle-class white person, talking to the
20 tenants now? I can only imagine the security
21 situation getting worse for low-income and black
22 residents after this redevelopment. This constant
23 surveillance, lack of green space, and new fencing
24 makes Brookland Manor look and feel like a prison.
25 This is no way to live and it is unacceptable that

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1 the residents of Brookland Manor, who are a majority
2 black and low-income, are subjected to this.

3 Let me make this explicit. If middle-class
4 white people were living in these buildings, Mid-City
5 would not be doing this. And if they were, the city
6 would show greater concern. To Mid-City, black
7 comfort, black homes, and black communities simply do
8 not matter.

9 I was here at the last hearing on Brookland
10 Manor about a month ago. Mid-City did little to
11 assuage my fears of their intentions. The fact that
12 Mid-City representatives were able to talk ad nauseam
13 about blond brick and cornices, but could not provide
14 clear information on affordable housing and
15 requirements to return at the new property was almost
16 comical. With all of the resources that Mid-City has
17 and the six-figure salaries that people like Michael
18 Mears make, there is no excuse for this obfuscation.

19 At the last meeting, Mid-City and its
20 representatives embodied with the philosopher, Hannah
21 Arendt, has called the banality of evil.

22 To conclude, I would like to urge the Zoning
23 Commission to vote against this proposal. The
24 demands presented by the residents tonight and at the
25 last hearing have been more than reasonable, and

1 ensuring these demands would improve the public
2 benefit of this project in the middle of a housing
3 crisis in the District.

4 Based on my experiences at Brookland Manor, I
5 can see no public benefit coming from Mid-City's
6 plans because the corporation has mistreated and
7 harassed residents of Brookland Manor and continues
8 to do so. I would also like to remind the Zoning
9 Commission that the fact that Mid-City will turn a
10 profit off of this project does not prove public
11 benefit. Private profit is not public benefit.
12 However, affordable housing is. Especially in these
13 times.

14 For this reason I urge you to vote against
15 Mid-City's proposal and to refuse to allow this
16 project to continue until Mid-City agrees to the
17 tenants of Brookland Manor's demands to bring back
18 all of the affordable housing on the property at its
19 current bedroom size, as well as the right for all
20 residents to return.

21 CHAIRMAN HOOD: Thank you. We appreciate all
22 your testimony. I want to make a statement because I
23 actually, you know, I have big ears so I can hear
24 sometime when I'm leaving out of a hearing. And I
25 heard somebody say, all the Zoning Commission is

1 doing is talking about the color of a brick.

2 Let me just say this so, for those who are
3 not aware of our process. You know I'm right, at the
4 last hearing. I'm glad you brought that up. Not
5 saying that you said it, but I'm glad you brought
6 that up because that is part of what we do.

7 We also look at design, the color of brick.
8 And I've learned a lot from my colleagues when it
9 comes to brick, and what color brick we should use
10 and what we shouldn't use. We do that across the
11 city and whether we have a trellis, or whether we not
12 have a trellis. How high should it be? Should it be
13 cut back some?

14 So, we do a lot of that. So, that's part of
15 what we do as far as design. And let me encourage
16 everyone who think all we do is look at color of
17 bricks. Just go on our website and you can see what
18 the Zoning Commission actually does. It's quite a
19 bit. Okay?

20 All right. Any questions or comments up
21 here? Okay. Does the -- okay, Mr. Merrifield, you
22 have any cross?

23 [No audible response.]

24 CHAIRMAN HOOD: Okay. Thank you all very
25 much. Now, one thing I am, I'm going to make sure I

1 do things correctly. Now, the two young people, now
2 this might get down to four so just bear with me.
3 The two young people, if they want to stay, if you
4 want them to stay, they can sit there too. Okay?
5 All right. Because I figure at some point in time,
6 about 9:00 or 10:00, it's going to be time to go
7 home.

8 All right, Ms. Schellin, we need four.

9 MS. SCHELLIN: Sarah Ann Armentrout.

10 CHAIRMAN HOOD: Okay, we can do six. Are you
11 all ready to go yet? You all not ready to go? Oh,
12 okay. Just let me know.

13 MS. SCHELLIN: Alexis Stoumbelis, maybe.
14 Matthew Shields, Julia Hubbell, Jose Valcarcel.

15 CHAIRMAN HOOD: Okay. Let me help you a
16 little bit. Nick Lyell, Alison Rogers.

17 You can take the next one, Ms. Schellin.

18 MS. SCHELLIN: Nahila Ghafur, Ghafur.
19 Ghafur.

20 CHAIRMAN HOOD: Okay, and Maria Ghafur.
21 Okay. Moriah Petty. Mary Clement. Chris Otten.
22 Did you call Chris Otten once?

23 MS. SCHELLIN: Yup.

24 CHAIRMAN HOOD: Okay. Luke Cieslewicz.
25 Yolanda Rondon. Kyera Frank. Minnie Elliott. Ms.

1 Elliott. You know, I didn't mean to call you Minnie
2 Elliott. Ms. Elliott. Ms. Elliott helped raise me
3 so I can't call her Minnie. Ms. Elliott.

4 MS. SCHELLIN: You're number 104.

5 CHAIRMAN HOOD: Did I call too many people?
6 Somebody not moving fast enough because I -- okay, so
7 we got enough. Okay. Good.

8 [Discussion off the record.]

9 CHAIRMAN HOOD: Okay. We're going to start
10 with you to my right, and then we'll come right down
11 to my left.

12 MR. SHIELDS: Hi. My name is Matthew
13 Shields, and I'm a Ward 5 resident. I live on Evarts
14 and 4th Street Northeast.

15 I wanted to speak today because I want to
16 oppose as forcefully as I can, Mid-City Financial's
17 plans to destroy and reduce affordable housing in
18 Brookland Manor, and their vicious and discriminatory
19 displacement tactics, which have been well-
20 documented.

21 I want to support equally as strongly, the
22 demands of Brookland Manor tenants and their allies.
23 It's inexplicable to me that in a city where
24 affordable housing hardly exists, and where
25 gentrification is so openly and brutally displacing

1 residents throughout the city, we would even be
2 considering such a plan. If we're going to be
3 talking about anything, we should be talking about
4 substantially expanding affordable housing along with
5 all the various ways we need to do a far better job
6 supporting our most vulnerable residents.

7 Professionally, I'm pursuing a PhD in the
8 philosophy of language at Georgetown, so I think a
9 lot about the meaning of our terms. In the previous
10 zoning hearing, Mid-City Financial referred to the
11 displacement of Brookland Manor tenants as quote,
12 "Natural attrition." They called displacement
13 natural because this allows everyone off the hook.
14 It means no one is responsible for what happens to
15 these tenants for the devastation of their
16 livelihoods. It's just the way things are.

17 But nothing could be further from the truth.
18 These policies can only be enacted if we choose them,
19 if we let them happen, and they can be stopped if we
20 choose to stop them. There is nothing natural about
21 it. We should, and we will, hold those responsible,
22 including the Commission, if they allow this entirely
23 unnatural attrition to take place.

24 Developers look at someone like me, a white
25 young person, and use the movements of my demographic

1 to pursue these plans and then do everything in their
2 power to displace black and brown residents were
3 economically marginalized.

4 This makes me complicit in what is
5 transpiring today, but Mid-City Financial and the
6 Commission should know that we will categorically
7 oppose these efforts, we will not allow ourselves to
8 be used in this way, and we will stand with our
9 neighbors.

10 None of us should want to live in a community
11 where you can be kicked out, stripped of your home,
12 your relationships, and your livelihood, just because
13 someone deems you not useful, or because others are
14 now deemed to be more useful.

15 Our right to a decent life should not be
16 contingent on the whims of corporate greed. That's
17 no right at all. It's a form of thinking
18 incompatible with the truly free and democratic
19 community. I urge in the strongest terms possible,
20 that the Commission stand with the tenants of
21 Brookland Manor on the side of dignity, rather than
22 on the side of Mid-City Financial and corporate greed
23 and cruelty. Thank you.

24 CHAIRMAN HOOD: Thank you. Next.

25 MS. HUBBELL: Good evening, members of the

1 Zoning Commission. My name is Julia Hubbell, and I'm
2 here to testify on behalf of the D.C. Chapter of
3 SURGE, that's Showing up for Racial Justice.

4 Thank you for the opportunity to testify
5 before you this evening.

6 SURGE D.C. was formed in 2015 as part of a
7 national network of groups and individuals organizing
8 white people for racial justice. Through community
9 organizing, mobilizing, and education, SURGE moves
10 white people to act as part of a multi-racial
11 majority for justice with passion and accountability.

12 Today, SURGE D.C. stands in full support of
13 the demands of the tenants of Brookland Manor. At
14 the heart of our work to stand up and name racism
15 happening through policies and practices in D.C. is a
16 desire to ensure equitable outcomes for all D.C.
17 residents, especially long-time residents who are
18 people of color, whom the District has neglected for
19 so long.

20 With the glut of wealth moving into the
21 District and creating an affordable housing crisis,
22 zoning should not approve any plan that reduces or
23 eliminates affordable housing options for our
24 families. In particular, we support the tenant's
25 demand that zoning reject any plan whose harmful

1 consequences disproportionately affect the city's
2 people of color and working class, as Mid-City
3 Financial's current plan so clearly does.

4 If Mid-City Financial is committed to quote,
5 "The production of new affordable housing as
6 essential to the success of neighborhoods," as they
7 have previously stated, why does their plan reduce
8 the size and number of affordable units?

9 If Mid-City Financial is committed to, quote,
10 "Supporting land development policies that create job
11 opportunities for District residents with varied job
12 skills," why won't they unequivocally accept the
13 tenants' demand to train and hire local workers?

14 On the contrary, Mid-City Financial has used
15 both language and actions, such as the private police
16 force, throughout the process to glorify
17 gentrification and criminalize low-income residents.
18 They argue that low-income residents contribute to
19 crime, while simultaneously championing the idea that
20 their project provides public housing. They argue
21 that no one will be displaced, while also
22 acknowledging without dispute, that they will reduce
23 the size and number of affordable units.

24 Any language about increasing the quote,
25 "Safety," of the area, is nothing but a thinly veiled

1 reference to reducing the number of low-income
2 residents and black and brown families.

3 Unless the proposed development includes 535
4 family-sized units, opportunities for employment, and
5 the ability for families to stay in place during
6 development, then it will directly contribute to the
7 displacement of families, the increasing
8 unaffordability of the District for the residents who
9 built it, and the racist effects of replacing
10 affordable family housing with luxury studios,
11 contradicting the state goals of Mid-City Financial
12 and the District of Columbia.

13 The Commission must weigh different types of
14 perceived public benefit against each other. If we
15 say that new economic gentrifying development is
16 sufficient benefit to make up for the reduction in
17 affordable housing, which the Zoning Commission has
18 acknowledged as a real consequence, what does that
19 say about the values of this city and its trajectory
20 moving forward?

21 The Zoning Commission has an obligation to
22 act and interpret the law in the way they believe is
23 truly best for their constituents and the existing
24 D.C. community. This means that Zoning Commission
25 members have an opportunity to take a stand on behalf

1 of these residents and to define the way that this
2 city acts on affordable housing moving forward.

3 Tenant demands are not incompatible with the
4 stated goals of Mid-City Financial, such as the
5 development of new architecture, green space,
6 transportation, environmentalism, et cetera. And
7 therefore, SURGE D.C. stands with the tenants of
8 Brookland Manor in full support, and calls on Zoning
9 to oppose any redevelopment plan that does not
10 include the tenant's demands. Thank you for the
11 opportunity to testify in support of the tenants.

12 CHAIRMAN HOOD: Okay, thank you. Before I
13 get the next, Ms. Elliott, I actually, in this panel,
14 I want you to go last if you don't mind. I'm just
15 letting you know up front, I want to hear from you
16 last. Okay? All right. Next.

17 Turn your mic on. Just hit the button.

18 MR. LACEY: Can you hear me? Okay. My name
19 is Dwight Lacey. I'm standing in place of Yolanda
20 Rondon. She's a part of my organization, Law for
21 Black Lives Matter D.C.

22 I testify on behalf of Law for Black Lives
23 Matter D.C. We, a coalition of D.C. attorneys and
24 law students besiege the D.C. Office of Zoning
25 Commission to deny Mid-City's financial plan to

1 demolish 535 units of affordable housing at Brookland
2 Manor and replace it with 1,700 luxury units. This
3 proposed plan violates public policy. It would
4 discriminate based on familiar status. It would
5 displace black residents, and it will only
6 proliferate the concentration of low-income
7 conditions, poverty, and feed the rates of D.C.'s
8 homelessness.

9 The 1968 Fair Housing Act was enacted by
10 Congress to protect communities in response to
11 historic housing discrimination. As applied, Mid-
12 City's financial proposal, in spirit, will carry out
13 those same incendiary aims that disparaged
14 African/Americans for years.

15 As recently as 2015 the Supreme Court of the
16 United States ruled, and the Texas Department of
17 Housing and Community Affairs at the Fair Housing Act
18 applies to private landlords, government bodies, and
19 zoning commissions. Brookland Manor is one of the
20 few reasonably priced housing units left in D.C. that
21 can accommodate larger families with three, four, and
22 five bedrooms. The proposed redevelopment plan will
23 not allow the current residents to relocate in its
24 proposed new vibrant community because they will be
25 able to comply with D.C. Municipal regulations, Title

1 If the Zoning Commission approves this plan
2 it will all but license and endorse systematic
3 displacement of residents who are most in need. This
4 is a slippery slope and if approved it will
5 negatively change the trajectory of D.C.'s population
6 for the next hundred years. Thank you.

7 CHAIRMAN HOOD: Thank you. Ms. Elliott, I'm
8 going to come back to you. Next.

9 MS. FRANK: Okay. Good afternoon. My name
10 is Kyera Frank, and I am here in support of the
11 Brookland Manor residents and low-income communities
12 everywhere.

13 Gentrification in definition is the process
14 of revitalizing and renovating deteriorating urban
15 areas marked by the increase of property value,
16 changes to culture, and attitude toward existing
17 residents. This results in exclusion of current
18 lower income residents and instating of their
19 wealthier counterparts.

20 Some might try to downplay the process of
21 gentrifying as a clean-cut pushout, maybe even for
22 the better of a neighborhood. But it's much more
23 sinister and systematic. It starts as a simple
24 increase of security, an influx of enforced petty
25 rules, a reallocation of low-income housing, and

1 pretty soon it becomes seemingly useful bribes and
2 temporary shelter stays. Next thing you know, you're
3 denied entry into a home you once shared with your
4 family on the grounds of limited space or trivial
5 technicalities.

6 It is an insult to believe that the long-
7 standing community of Brookland Manor will sit back
8 and allow themselves to be manipulated, pushed out,
9 and shut up by the applicant that financially
10 benefits blatant deception.

11 I asked the Zoning Commission to consider the
12 following. If the applicant is for the existing
13 communities, which include numerous families of four
14 or more, why are most of the proposed amenities one
15 to two-bedrooms? Why are members of the current
16 community being harassed by a private security force
17 hired by the said applicant? Why are current
18 residents being bombarded by trivial and unscrupulous
19 infractions enforced only after the applicant
20 submitted their planned modifications? Why are we
21 listening to the numerous -- why, as we are listening
22 to the numerous testimonies being said here tonight,
23 am I hearing the description of a prison complex,
24 rather than a family oriented community? Why is the
25 issue of basic human rights being fought for in a

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1 country as liberated as ours?

2 Let's not pretend the gentrification of
3 Brookland Manor is a simple plan to benefit the
4 community. It is a ploy fueled by racism, class
5 discrimination, money, and an ignorant sense as to
6 whom deserves what. Thank you.

7 CHAIRMAN HOOD: Thank you. Next.

8 MR. OTTEN: Good evening. My name is Chris
9 Otten with D.C. For Reasonable Development. I just
10 want to put on the record, I notice that the Office
11 of the Attorney General lawyers are not here tonight,
12 because clearly they've been giving you, as
13 commissioners, some directive on your purview and
14 your scope of understanding of the zoning
15 regulations.

16 Representing a critical shift away from the
17 victories that we received in the '60s, '70s, and
18 even now. But we're seeing a Zoning Commission pass
19 proposals that include poor doors along Black
20 Broadway. Okay? We're seeing a Zoning Commission
21 that has said in the past, they don't consider
22 displacement as part of their regulatory
23 responsibility to review.

24 I think the Commission knows better than that
25 now, thanks to the McMillan Park victory in the Court

1 of Appeals by D.C. For Reasonable Development and a
2 couple other parties.

3 Tonight, we stand with Brookland Manor
4 residents against this PUD. We want the Commission
5 to understand when you read from the applicant,
6 things that talk about natural attrition, getting us
7 back to the dignity that folks just want in this
8 city. Natural attrition, according to the developer,
9 means if you owe \$25 they're going to take you to
10 court and push you out of the development, so that
11 they don't have to count the replacement, that unit,
12 as a replacement unit.

13 This is what is happening before us in this
14 case, and many other cases throughout the city.
15 Barry Farms, Kenilworth Courts, Adams Morgan. The
16 list can go on. It hits all regions.

17 And so, as a city-wide organization that
18 attempts to represent people that have lived here for
19 generations and represent amazing culture and
20 experience in the nation's capital, they deserve so
21 much better, from this Commission, from the OAG
22 attorneys, from the Office of Planning, from DDOT,
23 who I don't see here, from the Department of Energy
24 and Environment. People's lives are at stake.
25 People's health is at stake. Stress leads to death.

1 Displacement is violence, period.

2 CHAIRMAN HOOD: Okay. Ms. Elliott.

3 MS. ELLIOTT: Hello. My name is Minnie
4 Elliott. I'm the President of Brookland Manor. And
5 I have been a resident of Brookland Manor for over 25
6 years. I've been active. I helped build the
7 community up. I know Mr. Hood. We've campaigned
8 together, rain, sleet, or snow.

9 Our community is part of us and I'm so proud
10 to see all my neighbors surrounding area, and
11 everyone, that believe in us. And that's what we
12 want our community.

13 My thing is, with Mid-City, it could be a
14 win/win thing all together. We could build a
15 community together. They have money available that
16 could help build this. But Mid-City do not want to
17 sit down with us to come up with a feasible way to
18 keep our affordable apartments and where we live, our
19 community, and build it up. We could work together.
20 It's happening all over. A lot of people are doing
21 it, but they don't want to sit down.

22 They want to really remove people of color
23 out of our neighborhood. But we built this now. Me,
24 myself, I can say this, I knew Eugene Ford Sr., and
25 we go back a long time. And I know he turned over

1 many times because he wanted this community to grow
2 with a lot of it. When he was in stress and had a
3 problem, the community stood up with him. That was
4 in the old days. And I'm probably the oldest one in
5 this area. I'm 79 years old. I've campaigned in the
6 community. I've lost a son, which was very active
7 and everything else. He would have been here
8 testifying.

9 My thing is that, you should know by the
10 figures, 535, we're saying affordable apartments.
11 And when you subtract that with 373, and you get the
12 numbers, the numbers don't add up. So, we know that
13 the family, friendly family that they are trying to
14 say they are, they're not.

15 My thing, I hope that you will support us
16 with this and think about it because we are losing
17 our homes. But what about you next? This could
18 happen to anyone, even with you all that have jobs
19 making this decision, think about it. These are
20 families that have built up and been there 40 and 50
21 years, that have kids that have graduated and
22 everything else. We want development. We want to
23 build. We want decent places to live. But they
24 don't want to sit down with us.

25 Only, we haven't ever seen anything that they

1 built or had any say so in, a lot of these things.
2 They don't give out paperwork or nothing like that.
3 They say what it is.

4 Now, I became friends with Michael Mears and
5 I believe in him, but he's not the only one to make
6 the decision. So, my thing is that we could make
7 this a win/win for all of us if we could sit down and
8 work together as a community. And that's what
9 communities are about. Thank you.

10 CHAIRMAN HOOD: Thank you. Ms. Elliott, the
11 reason I wanted you to go last, and I'll tell you
12 why. I know you live there and I said this at the
13 first-stage, you're right, we go way back.

14 One of the things for me is, as somebody
15 who's been out there fighting the fight, and I've
16 learned a lot from you, because one of the things
17 with me is, I always want to make sure the people who
18 live there, and nothing against people coming from
19 across town, around town, downtown, Prince George's
20 County, or wherever they come from, to come testify
21 what goes on in our community, but I always want to
22 hear from the people who live there.

23 And if you notice, I'm consistent because I
24 said the exact same thing in the first-stage PUD.
25 Now, what concerns me, I'm very concerned, and I

1 think Mr. Otten is exactly correct, there are certain
2 things that I'm always told and we're told that's not
3 in our purview. You're right. But you know,
4 sometime I open it up, and this is one of those cases
5 I'm going to do that. And the chips will fall where
6 they may.

7 But one of the things that concern me, I've
8 heard, and I'm going to ask Mr. Merrifield, I need a
9 one-pager. That's what my boss always ask. I can't
10 believe I'm asking one. I need a one-pager to show
11 me the numbers, Mr. Tummonds and Mr. Merrifield. I
12 think, and I want you to know, I do listen.

13 At the, at your testimony -- I mean, when you
14 gave your opposition status, you mentioned, I thought
15 you said, Mr. Chairman, the numbers don't add up.
16 And that's been playing over, and over, and over in
17 my head.

18 I haven't been the best in math. I do know
19 when we look at what's there now as opposed to what's
20 supposedly coming back. And another thing, Ms.
21 Elliott, which I hear, and I want that one-pager from
22 both sides so we can -- I think analysis and a
23 comparison. Don't have to go into a whole lot of
24 detail, just something to help me see it.

25 I know it may be here somewhere else, but a

1 lot of times when you look, when you have a record
2 with all these exhibits, things get lost. So, I need
3 both sides to do that for me.

4 But, Ms. Elliott, another thing that concerns
5 me is -- and you said you had a lot of faith in Mr.
6 Mears. I do too, again, now. But, because I see Mr.
7 Griffin. I didn't have it when I didn't see people
8 who had a connection to the neighborhood, and that
9 was at the last meeting we had.

10 But, I was under the assumption, and maybe I
11 missed something, that no one was going to be going
12 off the property. And maybe I missed it. And I also
13 was under the assumption that the units, there are a
14 lot of units empty over there now. Now, I don't know
15 how they got empty, but that's what I thought played
16 into some of the relocation so nobody would have to
17 go off the property. When they come up, I would like
18 for them to reassure me of that, because that's what
19 I heard. Is that what you hear? Nobody has to leave
20 the property. I keep hearing, everybody's going
21 somewhere, and I'm thinking, where are they going
22 when they don't have to leave the property?

23 MS. ELLIOTT: What is that? Let me use the
24 word they say, our president used about the facts.
25 What's the facts? Alternative facts, that's what

1 that is.

2 My thing is, a lot of people have left the
3 property for one reason or another. They didn't want
4 to; they had no other choice. A lot of people, even
5 some of the seniors that were head of household, had
6 to leave. I'm not going to say some people didn't
7 leave on their own, but I'm saying, they were pushed
8 out one way or another. They had to leave. And it
9 is some vacancies on the property.

10 CHAIRMAN HOOD: So, first of all, we need to
11 do away with alternative facts. Some things we don't
12 need to adopt, and that's one of them. We need the
13 facts, not the alternative facts.

14 But, I'm very concerned about what I'm
15 hearing about leaving the property and not coming
16 back because that's not the way this Commissioner
17 understood it. So, Mr. Tummonds, you all need to
18 give me a comfort level and help me to understand.

19 And one thing that Ms. Elliott said, and we
20 did this in some other cases and my colleagues know
21 this, we pushed. We pushed. I think you can work
22 with people of your leadership, senior leadership, in
23 the community and do what you just said to do. I
24 don't know what's going on, I don't know what
25 discussions is going on over there, anything. But I

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1 think the good thing you said about this is that you
2 trusted. I think, did you say trust? I don't want
3 to use -- I don't want to mischaracterize. You
4 trusted Mr. Mears. But I know there are other
5 people.

6 So, some of those other people need to start
7 getting into the game and understand so we can have a
8 trust, because the biggest thing about these type of
9 developments and what goes on in the city, is trust.
10 When I hear that somebody got put out for \$25 -- and
11 here's the thing, I don't discount any of it. The
12 applicant may come up and say that didn't happen.
13 But it's too many people telling me the same story.
14 And when that happens I start having a problem. I
15 hear it over and over and over again.

16 So, you know, I don't know what my colleagues
17 feel but Anthony Hood is not ready to move. I need
18 to feel -- I need to hear some more about how people
19 are working with the neighborhood. I need to hear
20 how the decision makers are working with the
21 neighborhood. And I need to make sure that this
22 neighborhood has a comfort level, because just like
23 the stadium, they want to take people's houses. I
24 told them to find a way to work around them. So,
25 this is another case for me, because one of the

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1 things that, when they say it's not within our
2 purview, the oath that I took says to protect the
3 safety and health of the residents of the District of
4 Columbia. I've taken that oath five times.

5 So, what I think, Ms. Elliott, is one of the
6 senior leaders over there and the stalwarts of our
7 community, because I'm a part of the community too,
8 work along with Mr. Mears and whoever the decision
9 makers are. Mr. Griffin. Get all them involved and
10 let's find out -- so, nobody likes to have a lot of
11 uncertainty. And that's what I'm hearing.

12 I'm sure that from a legal standpoint I may
13 hear, that's not within my purview. But I think the
14 discussion needs to be had, and working with that
15 community to try to make things move forward. It's
16 been done in other areas.

17 MS. ELLIOTT: It has.

18 CHAIRMAN HOOD: Which were not done in our
19 purview, and it's come back and it works. So, I'm
20 going to be pushing that. I hope I have the support
21 up here because to hear about the three guard -- or
22 the three that I saw, I don't know how they can do
23 anything because they weren't -- and I'll put it out
24 there, they weren't paying attention to nothing, the
25 ones that I saw. And I specifically paid attention

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1 to them.

2 Now, if they're going around bullying, we
3 need to stop that. That's ridiculous. If, you know,
4 the \$25 that I keep hearing, and \$25 in rent. So,
5 anyway, I don't want to get off on a soap box, but I
6 want you to know where this commissioner is coming
7 from.

8 Now, am I going to solve all the problems?
9 No, not from this seat. So, I need to make sure that
10 the community, Ms. Elliott, you and others, you know
11 who they are, who live on the site, who are not
12 supposed to be moving off the site, who are going to
13 be relocated on the site until your new place is
14 ready for you to move back in. That's the direction
15 I'm thinking we're moving. If we're moving in
16 another direction, somebody needs to tell me. If I
17 got it wrong, somebody needs to tell me. So, we need
18 to have those discussions.

19 Let me see, any other questions up here? I
20 don't want to get on a soap box.

21 MS. ELLIOTT: Could I say one thing --

22 CHAIRMAN HOOD: Yes, you can.

23 MS. ELLIOTT: -- Mr. Hood? My thing is that
24 I can't understand for the likes of me, what is the
25 problem with Mid-City where they can't actually sit

1 down with us and come up with a decision. I mean, we
2 are open for that. I mean, we don't need all the
3 lawyers with the suits and the tags and all that come
4 in, and march over. Most of these are working
5 people. And you know I've been around --

6 CHAIRMAN HOOD: And the security guards --

7 MS. ELLIOTT: -- a long time.

8 CHAIRMAN HOOD: -- bullying people.

9 MS. ELLIOTT: I been around --

10 CHAIRMAN HOOD: We don't need all that.

11 Right. Right.

12 MS. ELLIOTT: -- a long time. So, I'm just
13 telling you, these are facts.

14 CHAIRMAN HOOD: Okay.

15 MS. ELLIOTT: These are true. And I wish
16 each one of you all could come to Brookland Manor and
17 meet the people down to earth and just walk there,
18 and actually hear some of the things that are said.
19 I'm talking about seniors. I'm talking about people
20 who have graduated. You know a lot of them.

21 And see, my thing is, it does not only affect
22 us, it will affect the homeowners in the back,
23 retired elder people. When they build these, taxes
24 going to go up and I'm hoping that we don't turn into
25 another place, Adams Morgan, which have problems too.

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1 Georgetown, which it was a lot of people there.

2 CHAIRMAN HOOD: Okay.

3 MS. ELLIOTT: And it exists no more like
4 that. So, what I'm just saying to you, I want all of
5 you all to open up your heart and think about it. I
6 love Brookland Manor. I fought for Brookland Manor
7 when people have even knocked it -- I raised my kids,
8 a lot of the parents and things raised their
9 children. Young people and everything else.

10 I'm just saying, why can't Mid-City sit down
11 with us?

12 CHAIRMAN HOOD: But, Ms. Elliott, let me ask
13 you this because you know, I hear that you said you
14 trust Mr. Mears.

15 MS. ELLIOTT: Yes.

16 CHAIRMAN HOOD: Who is it that's not sitting
17 down with you? I don't -- the decision makers?

18 MS. ELLIOTT: The decision makers with him.
19 It's not him by his self. You understand what I'm
20 saying? If I could actually say a big -- if I could
21 actually say, if Mr. Ford Sr. was alive today, I
22 don't think we would be here.

23 CHAIRMAN HOOD: So, let's foster that trust
24 in that relationship. And I'm speaking to whoever
25 the parties may be. Let's get that relationship.

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1 Let's get that trust back in there, and some of the
2 stuff I'm hearing is very disturbing. Very
3 disturbing. And I don't want to say it's not in our
4 purview because somebody else may come back and tell
5 me it is.

6 But the thing about it is, I think this could
7 be dealt with where we have more of a trust level,
8 especially for the residents who live there, so you
9 can move forward. And if somebody owes 10 or \$15, or
10 \$25, we can work with that. \$25 ain't going to make
11 or break -- well, anyway.

12 I've heard \$25 too much.

13 MR. OTTEN: Chairman Hood, by the way, that's
14 from the Washington Post article.

15 CHAIRMAN HOOD: You know why I don't read the
16 Washington Post? And I'm going to say this publicly
17 because for years they always put something in there
18 wrong about what I've said or something of that
19 nature. So, I don't read it. I don't read it. I
20 don't know what it says.

21 MR. OTTEN: Okay.

22 CHAIRMAN HOOD: So, anyway, that's where I
23 am. I wanted to hear that from you, Ms. Elliott,
24 because I've worked with you for years. I know the
25 work that you've done to make that community, and not

1 just Brookland Manor, but to make that community in
2 Ward 5, and the city, better. So, I wanted to hear
3 from you on that.

4 MS. ELLIOTT: Thank you.

5 CHAIRMAN HOOD: And hopefully, I do want an
6 update on the meeting that you're going to be having,
7 and the trust meeting that you're going to be having,
8 Mr. Tummonds, with Ms. Elliott and with folks who
9 live there; who live there, and whoever -- assistance
10 they may need from Mr. Merrifield. Okay.

11 MS. ELLIOTT: But, you know what? You can
12 count the numbers. The numbers don't add up. You
13 actually can count the numbers of what you have up
14 there and then subtract. And then you'll find out
15 that they are not friendly for families.

16 CHAIRMAN HOOD: Well, we -- because of the
17 testimony we heard, Ms. Elliott, in the first-stage
18 and some other things, maybe I had it -- maybe I
19 didn't understand, but the understanding that I've
20 gotten was there were many vacant places, and where
21 the three and five, some of the people were older,
22 they were able to move. Now, I remember some of
23 this, were able to move to another apartment or
24 another development. I mean, not development, but
25 another place on site, so they can start their own --

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1 and those are some of the conversations I've heard.

2 MS. ELLIOTT: Alternate facts.

3 CHAIRMAN HOOD: The alternate facts? Okay.

4 Well, I'm not into alternate facts. And this is
5 before alternate facts came out. So, maybe -- so,
6 you're saying we invented alternate facts.

7 MS. ELLIOTT: No, I'm not saying that. I'm
8 saying what you all are receiving. That's what I'm
9 saying because all of that is not true, not exactly
10 true.

11 CHAIRMAN HOOD: Well, what you all going to
12 do, you all going to have another meeting and I hate
13 to keep occupying your time. Like you told me,
14 you're 79, you been out here for a long time. You're
15 going to have another meeting and we're going to get
16 the trustworthy facts. Okay?

17 MS. ELLIOTT: Okay.

18 CHAIRMAN HOOD: And we're going to make the
19 best decision moving forward that we possibly can.
20 We get beat up and beat up quite a bit, but we do the
21 best we possibly can with the facts. Not the
22 alternate facts, but the trustworthy facts that we
23 have.

24 Let me yield to my colleagues because they're
25 probably saying, Anthony Hood, you're running your

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1 mouth too much. Any questions?

2 [No audible response.]

3 CHAIRMAN HOOD: Does the applicant have any
4 cross? Mr. Merrifield, you have any cross?

5 [No audible response.]

6 CHAIRMAN HOOD: Thank you all very much. We
7 appreciate it.

8 MR. OTTEN: Chairman, can I verify with the
9 secretary? I left my testimony last time I was here,
10 but I couldn't bring it back again and I know the
11 stringent rules on it.

12 MS. SCHELLIN: It should be in the record.

13 MR. OTTEN: It's in the record? Okay, thank
14 you.

15 CHAIRMAN HOOD: Okay. Ms. Schellin, where
16 are we?

17 [Discussion off the record.]

18 CHAIRMAN HOOD: Lindsey Mendelson. Is that
19 where we left?

20 MS. SCHELLIN: Let me get there. Okay.

21 CHAIRMAN HOOD: I think we called 96.

22 MS. SCHELLIN: Ms. Elliott was the last one,
23 so --

24 CHAIRMAN HOOD: Yeah, she was the last one to
25 speak but her name was --

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1 MS. SCHELLIN: -- Ms. Parker. Oh, did you
2 call --

3 [Discussion off the record.]

4 MS. SCHELLIN: Did you call Alajah Parker and
5 Matt Sheilds? I think we called them, didn't we?
6 So, it would be -- yeah, Lindsey Mendleson, as you
7 call -- or yeah. Mendleson.

8 CHAIRMAN HOOD: Okay, Lindsey Mendleson, K
9 Me, Mackenzie Baris, Baris, Claudia Barragan, Amber
10 Charles. Okay, K Me again. I think that's the same
11 person. Okay. Claudia Barragan, I just called her.
12 Leah Walker, Jason Beal, Jessica Brown. Ms.
13 Schellin, we need to work on this. Once we go up, it
14 doesn't need to take me back to that.

15 [Discussion off the record.]

16 CHAIRMAN HOOD: Is there anyone else who
17 would like to testify in opposition that's here?
18 Come forward. Okay. I can take three more and then
19 I'm going to have to wait and do another round.

20 Okay. To my left, your right. You may
21 begin.

22 MS. EL-AMIN: So, I'm speaking for Alajah
23 Parker, who mentally cannot come up here and has some
24 things to say. So, I'm just going to speak in her
25 behalf.

1 She's 20 years old. She's been living on the
2 property all her life and she's actually is concerned
3 about moving. She's a type of person who's nervous
4 about everything. So, for her to move out of the
5 community is very bothering her. She's seeing a
6 psychiatrist and a doctor because she's really scared
7 as to what's going to happen to her and the family.

8 So, she wanted to know, and wanted me to
9 speak for her just to say that she don't want no
10 displacement. She's been with her mother all her
11 life. She wants to stay with her mother.

12 And, on her behalf, she has a friend who
13 lives in the neighborhood who is a senior, which is
14 70-years old, who has a son that is 50-years old, who
15 has mentally challenge. So, there's a lot of
16 challenged people there. And this lady who is 70-
17 years old who has a 50-year old son who will be
18 placed in the senior if she gets in it, you know, 62
19 and older, she would be there, but her son wouldn't
20 be there. So, my daughter is concerned about them,
21 which I'm concerned about them too because he's never
22 been without his mother. So, if he was to go in that
23 senior place, what's going to happen to him, because
24 he has mentally challenges and he cannot live on his
25 own.

1 include in your deliberation. But let's face it,
2 this Board approved the first-stage, and therefore
3 cares less if the project displaces, resettles, or
4 margin on these communities.

5 Mid-City says that they're continuing with
6 this prejudice master plan to address three planning
7 problems in this community. Buildings are too old.
8 Yes, we all agree. We all know that.

9 So, the buildings must be renovated, but they
10 should be renovated at the very least for public
11 health concerns, such as asthma, lead, and water, et
12 cetera, not profit. The commercial strip did offer
13 ethnical diverse food options. It was not bad. Yet,
14 these businesses were displaced due to ethnic
15 discrimination.

16 Existing urban design is obsolete. It is
17 obsolete because for high density value housing,
18 market value housing. Garden-style apartments are
19 still very common. In fact, the design accommodates
20 for mixed families, and it offers plenty of space for
21 children to play until management caged off the green
22 areas.

23 Low density garden-style apartments create
24 opportunities for visual community monitoring. Mid-
25 City painted a racist picture in their descriptions

1 and redefines defensible spaces per the standards of
2 white rich man. The existing street patterns around
3 Block 7 do not create bad vehicular access. As a
4 frequent driver and pedestrian in this neighborhood I
5 can travel in this block without problems.

6 They also claim that there is -- this is an
7 attempt of theirs to end intense concentrations of
8 poverty. Urban design, planning, and architecture
9 are not social engineering tools. It does not have
10 that authority. If Mid-City wants to end
11 perpetuating cycles of poverty, then they should
12 focus on hiring and achieving diversity within their
13 own company. They should invest in providing and
14 improving the condition of buildings for the sake of
15 the community.

16 As per those six solutions offered by Mid-
17 City, technically it is easy for Mid-City to preserve
18 a one-to-one affordability in this block because at
19 least -- because four -- at four stories high and
20 nearly doubling its number of units, they can easily
21 equate those units. The phasing plan does not say
22 how many existing families will be relocated, how
23 many seniors will be relocated.

24 Block 7 is not the closest to transit
25 amenities in terms of easy pedestrian access along

1 Rhode Island. Those blocks will be reserved for
2 high-income residents. Finally, open space is a joke
3 in Block 7. Where is the allocated open space? The
4 back yards of townhomes do not count as public open
5 space.

6 Finally, the FAR is being doubled, and that
7 is something within your purview that you cannot
8 allow to pass your approval.

9 Finally, Ward 5 residents like myself, want
10 to know how long in the future will Building B be
11 kept for seniors, for senior independent living? It
12 says perpetuity, but is that really a fact when
13 market based values are being considered or
14 prioritized?

15 So, thank you for allowing me to speak on --
16 to speak on behalf of the community as well, and to
17 advocate for them.

18 MR. MILLER: Thank you. Next.

19 MS. BARIS: Good evening. My name is
20 Mackenzie Baris and I live at 1530 Rhode Island
21 Avenue. Oh, there we go.

22 My name is Mackenzie Baris. I live at 1530
23 Rhode Island Avenue Northeast, and I'm testifying
24 tonight to oppose plans of Mid-City Financial until
25 all demands of current residents are met. As a

1 close-by neighbor, what happens on this property is
2 of great concern to me. I'm also a renter and was
3 outraged to hear from Brookland Manor residents about
4 the kind of underhanded tactics being used to evict
5 and displace our neighbors in order to make way for
6 tenants who can afford a luxury unit.

7 I urge the Zoning Commission to stand up for
8 all renters by not moving forward any plans until
9 these kinds of practices are approved to be not
10 happening at Brookland Manor anymore.

11 I also want to support -- urge you to support
12 only plans that really make sure all the numbers add
13 up for preserving all 535 current units at the same
14 bedroom sizes, and at the same rents and subsidy
15 levels. It seems only reasonable and fair that
16 current residents of Brookland Manor be the first --
17 be the main beneficiaries of any investment made into
18 the homes there and in to the community as a whole.
19 And for that to be able to happen, they need to be
20 able to remain in the building and remain on site
21 during the redevelopment process, as well as be able
22 to have opportunities to access employment; jobs that
23 might be created through the redevelopment process.

24 As a neighbor I can say, losing even a few of
25 the families at Brookland Manor through this plan not

1 being done right, would be a huge loss to the fabric
2 of our overall community, on top of the disruption to
3 individual families that would have to relocate.

4 I've talked with many others in my apartment
5 building up the street, as well as in the immediate
6 neighbor, about this proposal over the past few
7 months, and want to share that there's overwhelming
8 support for current residents being able to remain in
9 their homes, and for the new development in our
10 neighborhood to create more, not less, truly
11 affordable housing, especially for families.

12 I recently decided to start a family of my
13 own, and experienced first-hand how hard it is to
14 find affordable family housing in this city, given
15 the current market. Even with two decent
16 professional incomes, my partner and I couldn't
17 afford to live in any of the new development that's
18 gone up along Rhode Island Avenue, or in Brookland as
19 a whole, and in fact many of the buildings we called
20 didn't have open two-bedroom apartments, no less
21 three or four-bedroom apartments. We would love for
22 my father, who is elderly, to be able to live with us
23 instead of in a small isolated senior unit. He'd
24 prefer that. But it seems out of reach in this
25 current market that we could ever find housing that

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1 would meet that kind of a need.

2 So, the loss of any of the larger family
3 units at Brookland Manor is just going to exacerbate
4 the crisis for affordable family housing that we
5 already have in this city that affects many, many
6 people.

7 So, just to close to say, I think, you know,
8 you have a huge opportunity to do something different
9 with this plan, to ensure that the pattern of
10 displacing long term residents and displacing
11 families out of D.C. when new development happens,
12 isn't replicated again.

13 MR. MILLER: Thank you. Next.

14 MS. ME: Hi, my name is K Me. Thank you for
15 letting me testify today in solidarity with the
16 Brookland Manor/Brentwood Village Resident
17 Association, I'm here to express my opposition to the
18 second-stage PUD in regards to this case.

19 I am currently a Georgetown University
20 student majoring in justice and peace studies.

21 Back in January of 2016, the Camanava's
22 (phonetic) Initiative for Labor and the Working Poor
23 hired me to enter at working at One D.C.

24 Because I had volunteered to conduct outreach
25 before, One D.C. delegated me to focus on organizing

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1 with the tenant association concerning the neighbor's
2 redevelopment. I worked closely with Brooke Hill of
3 the Washington Lawyer's Committee for Civil Rights
4 and Urban Affairs, who is also a One D.C. member,
5 previously involved more heavily with developing the
6 leadership capacity of Brookland Manor/Brentwood
7 Village residents.

8 Under his guidance, I conducted outreach via
9 phone banking, door knocks, and one-on-one visits.
10 Even though One D.C. has permission to canvas, and
11 residents have a right to organize, our flyers have
12 been taken down as security has falsely told
13 residents that canvassing is not allowed.

14 As I began developing my own relationships
15 with residents, I became more familiar with Brookland
16 Manor and Brentwood Village, its history and the love
17 that residents have for not just their housing, but
18 homes. I learned about the harassment residents
19 experience from security, the infractions received
20 for the slightest violations, and the separation of
21 families that ensued because of eviction.

22 For example, a resident helping their
23 disabled mother up the steps in front of their
24 apartment in Brookland Manor was told by security
25 they were not allowed to loiter. People not much

1 younger than me have been forced to leave their
2 family and Brookland Manor because of the downsizing
3 of their apartments. There have been residents who
4 are not made aware that they were facing evictions
5 because of intentional miscommunication.

6 Every single resident I've interacted with
7 have adamantly expressed the second-stage PUD is not
8 what they want or need for themselves, their
9 families, and their community. Even as residents
10 experienced struggles such as death and loss, I have
11 witnessed them consistently show up to the bi-weekly
12 meetings convened by the Brookland Manor/Brentwood
13 Village Resident Association.

14 At these meetings residents engage
15 passionately with One D.C. and the Washington Legal
16 Clinic to develop their leadership capacity,
17 brainstorm community building strategies, and come up
18 with demands.

19 In solidarity, I also demand that the Zoning
20 should not approve of a plan that will result in the
21 displacement of working class people of color, in
22 order to make way for luxury apartments while
23 thousands sleep on the streets.

24 This is not an isolated occurrence. Temple
25 Courts in China Town was promised a comprehensive

1 four times as likely as non-families to be negatively
2 impacted by the redevelopment plan, and this states a
3 violation of law under both federal and district D.C.
4 Law, the Federal Fair Housing Act, as well as the
5 D.C. Human Rights Act.

6 The basis of our lawsuit and the remedy we
7 seek is not to stop the redevelopment of Brookland
8 Manor. The remedy we seek, rather, is that Brookland
9 Manor be redeveloped in a way that provides an
10 inclusive community that does not disparately impact
11 the families that are a resident there currently.

12 Mid-City has stated before this Commission
13 that all current residents in good standing will have
14 a right to return. And at the risk of sounding quite
15 like a broken record, Commissioner Hood, our position
16 is the numbers do not add up.

17 And moreover, that the claim of resizing does
18 not add up; that even if certain families could be
19 resized from four and five-bedroom apartments, only
20 67 three-bedroom apartments will be available to all
21 of the current three-bedroom, four-bedroom, and five-
22 bedroom residents.

23 We filed the case in August, 2016 and an
24 October 2016 Mid-City, through counsel, filed a
25 motion to dismiss, stating that the families we

1 represent had failed to state a legal claim. The
2 Court denied that motion. The court found that the
3 families we represent had stated a claim under both -
4 - or had stated a viable claim under both federal
5 discrimination law as well as the D.C. Human Rights
6 Act.

7 The case is currently in litigation and we
8 continue to actively litigate. And we are confident
9 that we will prevail. Because the lawsuit was filed
10 in August 2016, it post-dates the first-stage PUD and
11 it was not brought to your attention. It could not
12 have been at that time.

13 Therefore, we ask the Commission to consider
14 the fact and existence of this lawsuit, and as you
15 reach your second-stage PUD decision. A copy of our
16 complaint was submitted by Mr. Merrifield as part of
17 the tenant association's party status application. I
18 would also direct the commissioners to the publicly
19 available docket in the D.C. Federal District Court.
20 It is Case 16-CV-1723.

21 We are further happy to provide and submit
22 into the public record, any additional information
23 the Commissioners may desire.

24 The PUD application regulations state that
25 the second-stage application must be consistent with

1 the intent and purpose of the first-stage approval.
2 And the existence of larger family-sized apartments
3 is expressly listed as the type of public benefit
4 that should be considered by the Commission during
5 the PUD process.

6 We are here and we filed this lawsuit because
7 we want the families resident at Brookland Manor to
8 have a place to call home at night. And I know that
9 the Commission shares that goal. The Commission has
10 both the authority and the obligation to consider
11 whether the development, as currently proposed, is in
12 the public interest. And I'd ask you to consider the
13 fact of our claims and the pending litigation as you
14 reach your decision. And thank you for your time.

15 CHAIRMAN HOOD: Thank you. Next.

16 TAY: All right. Peace. I'm Tay, an
17 organizer with One D.C., also a long-term D.C.
18 resident. I'm here to support my Brookland Manor
19 family. I represent the struggling youth, you know,
20 the ones in D.C. General Hospital, the homeless
21 people I know who have been in D.C. long before these
22 gentrifiers came. My daughter, who was just now
23 sitting in here, staying at D.C. General right now.
24 Half the time when she's with her mom.

25 Yeah, those people, I'm sitting right here

1 struggling right now just trying to -- just confused
2 and hurt. My family at Brookland Manor today, I had
3 like, I can't even understand why this case is even
4 given any sort of legitimacy. My grandmother, her
5 name is Queen Wilkins (phonetic). She's no longer
6 here, actually, and she raised me right there in
7 Brookland Manor, so I got tenants in here that know
8 her, and I was actually raised in this neighborhood.

9 And I'm just like, like I said, I can't
10 understand why in the name of justice this plan that
11 will eliminate family housing and affordable housing
12 is even given legitimacy. Tenants demands are so
13 reasonable. Tenants are just asking to stay in their
14 communities. Tenants who have been in this community
15 for decades, generations being raised in this
16 community. Do they not have a right to live in their
17 own city and community, or is their poverty leveraged
18 for some rich developer to come in and have their way
19 and move them around without any care where these
20 people will live afterwards?

21 That sounds criminal to me. Can you imagine
22 going into this CEO of Mid-Cities (sic) Financial's
23 neighborhood and telling this guy his family is about
24 to be displaced and moved around because his family
25 is too big, or having a security guard enforce laws

1 in their neighborhoods? I don't think that would be
2 -- I think that would -- I don't think that would be
3 acceptable.

4 And, to consider the feelings of these
5 Brookland Manor residents is to consider them, if you
6 was just to consider them to be human, that you would
7 feel what these people feel; that you will know your
8 moral obligation to do what's right for these people
9 because to consider these people human, and if we are
10 considering them human right now then I don't think I
11 need to say anything more, because I think my case
12 says enough just to consider them that. So, I'm just
13 done right there.

14 CHAIRMAN HOOD: All right. Thank you. Next?

15 MS. CONE: Good evening. My name is
16 Katherine Cone. Thank you for the opportunity to
17 testify today on behalf of the Washington Lawyer's
18 Committee for Civil Rights and Urban Affairs. Along
19 with the law firm, Covington and Burling, the
20 committee represents a class of families at Brookland
21 Manor and the familial status, civil rights lawsuit
22 against Mid-City Financial, which my colleague, Amber
23 Charles, just testified about.

24 As a body tasked with hearing applications
25 for planned unit developments that require its

1 approval, the Zoning Commission should consider how
2 this proposed redevelopment is inconsistent with the
3 District of Columbia's obligations to comply with the
4 Fair Housing Act and affirmatively further fair
5 housing.

6 In light of the city's obligations, we ask
7 you to require Mid-City to alter its redevelopment
8 plan by preserving additional affordable housing
9 units, and creating four or more bedroom units and
10 restoring the number of three-bedroom apartments.

11 The District is required to certify that it
12 is spending federal funds in compliance with the Fair
13 Housing Act and that it is affirmatively furthering
14 fair housing. These obligations require the city to
15 identify any impediments to fair housing choice and
16 to take appropriate actions to overcome their
17 effects.

18 Two such impediments the city recognized are
19 the extreme degrees of segregation in this city and
20 the lack of a process explicitly requiring
21 developments to comply with fair housing laws in
22 order to receive zoning approval.

23 Applied here, the Brookland Manor
24 redevelopment will eliminate four and five-bedroom
25 units, and reduce the number of three-bedroom units,

1 which will adversely impact families, as just
2 discussed. Families who reside in these units will
3 thus likely be forced to move to Ward 7 and 8, where
4 such limited larger units are available, areas which
5 are already racially concentrated. Unless altered,
6 the proposed redevelopment will displace low income
7 African/American families and likely further entrench
8 segregation. All of which would violate the city's
9 duty to further fair housing.

10 Second, this redevelopment preserves only 373
11 of 1,646 apartments as affordable. I won't get into
12 the Inclusionary Zoning units, but I understand there
13 are 11.

14 Acknowledging that African/Americans are
15 severely cost burdened and that housing costs remain
16 high in the District, the City recommended overcoming
17 these impediments to Fair Housing Choice by
18 preserving existing affordable housing and creating
19 new affordable housing units. Accordingly, this
20 Commission cannot overlook the loss of the additional
21 162 units of housing at Brookland Manor, which have
22 remained affordable to many tenants.

23 Similarly, it should consider that to date --
24 I'm sorry, I believe I'm testifying on behalf of an
25 organization.

1 MS. SCHELLIN: I think your colleague got the
2 five minutes already. So, only one of you.

3 UNIDENTIFIED SPEAKER: [Speaking off
4 microphone.]

5 MS. SCHELLIN: She's not even listed, I don't
6 think. Were you listed?

7 MS. CONE: I believe I am.

8 CHAIRMAN HOOD: Just go ahead and try to
9 finish it.

10 MS. CONE: I was here on February 23rd.

11 CHAIRMAN HOOD: The other person had the
12 time.

13 MS. SCHELLIN: But your name is not on there.
14 I didn't have her name on there.

15 CHAIRMAN HOOD: The other got the five
16 minutes, right? So, go ahead and try to give us your
17 closing thought.

18 MS. SCHELLIN: Yeah.

19 CHAIRMAN HOOD: Go ahead. You got a minute.

20 MS. CONE: Sure. Well, my written testimony,
21 which is submitted on the record, and a copy of which
22 all of the commissioners here have, explains in great
23 detail what it is that we're proposing. So,
24 essentially it is to ensure that the additional
25 affordable housing units are not lost. We propose a

1 couple of ways to do this, including by ensuring that
2 Mid-City work to secure an agreement that would
3 protect voucher holder tenants, which right now
4 there's no such agreement in place confirming that
5 the D.C. Housing Authority would permit these tenants
6 to reside at the property, even if the voucher -- I'm
7 sorry, if the rents go beyond the voucher caps.

8 Alternatively, the -- Mid-City can work with
9 the resident's association to ensure that they lobby
10 the city together, just as they've tried to do
11 multiple times, because this would permit them to
12 work together to actually ensure that additional
13 affordable housing units are preserved through this
14 redevelopment.

15 And finally, the Commission should take
16 notice that the Committee raised a lot of these
17 concerns, and specifically the fact that the
18 Brookland Manor redevelopment is an example of the
19 City's failure to live up to its fair housing
20 obligations in a letter to HUD. Also, HUD has now
21 acknowledged that this is the case in a letter to
22 Mayor Bowser. And in it, it cited the Brookland
23 Manor redevelopment as an example. Those letters are
24 included in my written submission. I thank you for
25 the opportunity and I urge this commission to please

1 note these concerns and take them into account in
2 making your decision. Thank you.

3 CHAIRMAN HOOD: Thank you. Next.

4 MS. HAGEN: My name is Shaina Lamchick Hagen
5 (phonetic). I'm a staff attorney at Neighborhood
6 Legal Services Program. Could I request five minutes
7 on the clock? Thank you.

8 I'm here on behalf of Neighborhood Legal
9 Services Program, and our current and former clients
10 at Brookland Manor. NLSP has represented over a
11 dozen tenants and former tenants of Brookland Manor
12 in a variety of manners.

13 I personally have represented tenants in
14 seven eviction cases, three barring notice cases, and
15 a number of other cases where tenants receive
16 infractions or notices to quit for alleged lease
17 violations.

18 I, along with my colleagues at NLSP, have
19 heard so many stories of abusive practices at
20 Brookland Manor over the last year. We support our
21 clients and the Brookland Manor/Brentwood Village
22 Resident Association in their request that you oppose
23 Mid-City Financial's second-stage PUD application,
24 and we support publicly the hundreds of low-income
25 tenants who will face potential displacement through

1 Mid-City's intended redevelopment of the Brookland
2 Manor site.

3 You've already heard the oppressive
4 environment that Brookland Manor residents must live
5 in. I'll now speak about what we have learned from
6 our clients through our representation.

7 NLSP has significantly increased our
8 representation of Brookland Manor tenants beginning
9 in the fall of 2015 as part of our engagement with
10 D.C.'s right to housing initiative. It quickly
11 became clear that the practices at Brookland Manor
12 were sweeping in scope and far more draconian than
13 just about any group of eviction cases that we had
14 previously defended.

15 Perhaps no case exemplifies Mid-City
16 Financial's unscrupulous and persistent drive to
17 remove its tenants more than the case of Karen Real
18 (phonetic) as reported in the August 9th, 2016
19 Washington Post article, facing eviction over as
20 little as \$25. Sorry to repeat it again.

21 Ms. Real's case was one of the first that I
22 took on as an attorney at NLSP, and frankly, as an
23 attorney in general. And I was horrified to learn
24 about her ordeal. Soon after she was laid to rest,
25 her son, who had committed suicide in her home, Mid-

1 City Financial sued Ms. Real on the grounds that her
2 son had killed himself with, and thus left behind in
3 her apartment, an unregistered firearm, constituting
4 criminal activity that threatens the health, safety,
5 or peaceful enjoyment of the premises by other
6 residents.

7 They declined to use the discretion that the
8 law allows, the, despite the compelling circumstances
9 of this case. While personal tragedies, like that of
10 Ms. Real, are mercifully not more wide-spread at
11 Brookland Manor, NLSP has observed that the cruelty
12 displayed in her case is fully consistent with how
13 Edgewood Management Corporation and Code 3 Security
14 manage and administer the property.

15 Mid-City Financial's agents often begin
16 eviction cases against tenants in situations when
17 less severe actions could resolve the alleged
18 problems. Our clients at Brookland Manor have
19 received frequent notices of lease violations and
20 tenant infractions, even for mild or unsubstantiated
21 issues, such as making noise during daytime,
22 infrequent singing rehearsals, and for loitering
23 while interacting with neighbors in common areas.

24 Security guards have written notices of
25 infraction for leaving wet clothes in the hallway and

1 standing for too long outside of building entrances.
2 Many tenants report that they have received weekly
3 notices related to the same alleged violation, when
4 there is little or no evidence that a violation
5 occurred.

6 Other tenants report that security guards
7 follow emergency responders into apartments and
8 search for lease violations. While infraction
9 notices often receive no follow-up, they may form the
10 basis of a later eviction suit. Tenants who receive
11 them fear that they may lose their housing as a
12 result.

13 Although notices of lease violations are used
14 by law abiding landlords in the District of Columbia,
15 the volume and content of the notices used at
16 Brookland Manor set them apart and make them part of
17 a larger practice of pattern of abusive practices.

18 One of the most commonly used tactics to
19 disrupt the daily lives of Brookland Manor tenants,
20 is the use of barring notices. NLSP has heard dozens
21 of Brookland Manor tenants complaint that management
22 personnel barred their guests and family members from
23 the property for frivolous or illegitimate reasons.
24 I've represented tenants whose family members have
25 been barred for calling the police when faced with

1 danger, and getting into verbal arguments with other
2 tenants.

3 In these situations, the barred individuals
4 posed no threats to residents and were barred without
5 the consent of the tenants they were visiting.
6 Perhaps more concerning is Brookland Manor's regular
7 practice of completely barring all evicted
8 individuals from returning to the property, including
9 individuals who were evicted for nonpayment of rent.
10 This is a particularly insidious practice because
11 property management then sues for eviction, residents
12 who hosed the barred family members and friends in
13 their units.

14 Brookland Manor has been home to many low-
15 income families for generations. Consequently, the
16 barring notice practice at Brookland Manor knowingly
17 prevents many residents from spending time with
18 family members. Amidst the evictions, constant
19 infraction notices, and barring notices, tenants
20 consistently report to NLSP that they feel like
21 they're living in a prison at Brookland Manor. The
22 fear that tenants feel is intense and real.

23 Armed security guards have performed searches
24 of tenant units without consent or cause. And just a
25 few weeks ago, I spoke to a client who watched a

1 security guard hit her son in the face as he was
2 arresting him. When my client said that she was
3 going to call the police, another security guard
4 shoved her.

5 Just one final sentence. Mid-City Financial
6 and its agents, Edgewood Management Corporation, and
7 Code 3 Security are engaging in systematic and
8 devastating tactics to displace tenants from
9 Brookland Manor housing complex. And these tenants
10 need your support.

11 NLSP stands with our clients and we urge you
12 to do the same by rejecting the second-phase PUD
13 application.

14 CHAIRMAN HOOD: Okay. Thank you all very
15 much. We appreciate your testimony. Let's see if we
16 have any questions up here.

17 [No audible response.]

18 CHAIRMAN HOOD: Okay. Does the applicant?
19 Does the party, Mr. Merrifield?

20 [No audible response.]

21 CHAIRMAN HOOD: All right. Thank you all
22 very much. We appreciate it. Thank you.

23 MS. CONE: Commissioner, I just wanted to
24 clarify that our name, the Washington Lawyer's
25 Committee, was in the party in opposition's panel,

1 and given the ruling on the motion to dismiss or to
2 alter the panel's representation, that's why I was
3 moved to a public witness. But we were part of the
4 panel originally.

5 MS. SCHELLIN: Okay. Your name is -- yeah,
6 your name is not on the list so --

7 MS. CONE: Okay.

8 MS. SCHELLIN: -- somebody, whoever was
9 supposed to put you on the list, didn't do it.

10 MS. CONE: Okay. I apologize.

11 MS. SCHELLIN: Yeah.

12 MS. CONE: Thank you.

13 CHAIRMAN HOOD: Okay. Thank you. Okay, I
14 saw one other person that wanted to testify in
15 opposition. But there they go, they're coming back
16 to get their seats. Okay, you brought somebody back
17 with you. Okay. You all three have a seat right
18 there.

19 Okay. Do we have any other --

20 [Discussion off the record.]

21 CHAIRMAN HOOD: Okay. So, do we have anyone
22 else here who is in opposition?

23 Okay. So, you're our last witness. Okay.
24 You may begin.

25 MS. EATON: Thank you. I've had some

1 technical difficulties.

2 CHAIRMAN HOOD: Make sure your mic is on.

3 MS. EATON: Thank you. I've had some
4 technical difficulties. My name is Alexandra Eaton.
5 I'm a young professional who came to Washington D.C.
6 like many others, with a wave of millennials during
7 the economic crisis. I was also a social science --
8 I am also a social scientist and after years of
9 working to expand opportunities to better schools and
10 build small businesses across the country, I've
11 returned to graduate school at American University.

12 I also work at Polaris, which is charged with
13 answering the phone for victims of human trafficking,
14 which are disproportionately people of color who are
15 housing insecure.

16 I care deeply about Brookland Manor, not only
17 as a nearby resident who wants Brentwood to thrive,
18 but as a neighbor to those being wrongly displaced.
19 I live in Ward 5, a block and a half from Brookland
20 Manor.

21 I have witnessed the effects of Mid-City
22 Financial system of intimidation in my years living
23 in this community. Regardless of the weather, the
24 green spaces where children played are vacant and
25 residents who talked and waved to me are now largely

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1 inside.

2 This isn't an accident. Residents I've
3 spoken with directly explain that citations are being
4 issued for these fundamentally social and positive
5 behaviors. Necessary repairs and maintenance are not
6 being performed in apartments to encourage those who
7 can, to move elsewhere, and people are being forcibly
8 evicted or petty reasons.

9 Every day I pass Brookland Manor as a white
10 woman I'm ignored or greeted by the Mid-City
11 Financial's private police, while I routinely watch
12 them stop people of color.

13 I know that some in the business community
14 feel that displacing D.C. locals, largely euphemism
15 for D.C.'s black community, is the only way to
16 revitalize struggling areas, that the wave of outside
17 millennials following a glut of white-color jobs and
18 seeking small luxury apartments must be stated for
19 the sake of economic progress. We must move forward.

20 As a policy analyst and social scientist, I
21 fundamentally disagree. As noted by Washington Post
22 and other publications, the wave of millennials
23 coming to D.C. is mostly over in demand for one and
24 two-bedroom apartments, much less studios, is dying
25 down as we form families of our own. A quick study

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1 of demographics predicts a bust for investments in
2 over-priced small apartments. This does not take
3 into account the recent hiring freeze and federal
4 work place -- workforce reduction.

5 If Mid-City Financial wants to make money,
6 establishing a family friendly complex with larger
7 bedroom counts for both existing and new families, as
8 well as space for businesses, is a far better use of
9 the space. While this means Mid-City Financial will
10 not be able to sell a studio apartment for an
11 exorbitant fee, it also means that it will not build
12 a product that will have no interested buyers upon
13 completion.

14 Last, the residents at Brookland Manor are
15 worthwhile, wonderful, and necessary for Brentwood.
16 I am proud to live alongside them, share schools and
17 businesses, and build Rhode Island Avenue together.

18 A fundamental sense of history and community
19 is formed within affordable housing where neighbors
20 support and help each other. Children can be
21 watched, meals can be shared, and the sick or elderly
22 can be checked in on.

23 I ask that you fundamentally rethink the
24 community that you're trying to support, and that we
25 can all grow together with thoughtful planning. And

1 I request, I stand in solidarity with the residents
2 of Brentwood Manor and request that every single
3 demand be met before the Zoning Commission moves
4 forward. Thank you.

5 CHAIRMAN HOOD: Thank you. Hold your seat.
6 Let's see if we have any questions. Any questions up
7 here.

8 Okay. Does the applicant? Mr. Merrifield.
9 Thank you very much. We appreciate it.

10 Mr. Tummonds, I think you can come back and
11 we can do some rebuttal and closing.

12 UNIDENTIFIED SPEAKER: [Speaking off
13 microphone.]

14 CHAIRMAN HOOD: Oh, that's right. I forgot.
15 I'm going to learn the new rules eventually. We have
16 one person who is undeclared, Russell Carter. Is
17 there anyone else who is undeclared? What about
18 Darlene Oliver?

19 MS. SCHELLIN: [Speaking off microphone.]

20 CHAIRMAN HOOD: She was -- okay. Mr. Carter,
21 if you can come, undeclared? Is anybody else
22 undeclared?

23 [No audible response.]

24 CHAIRMAN HOOD: Okay. Mr. Tummonds, if you
25 can come forward, we can do rebuttal and closing.

1 Let me also ask Ms. Schellin, I didn't see
2 anything from the ANC. I don't know what's going on
3 there, but we need to ask for, in this case, like we
4 do in other cases, a report from the ANC if they're
5 willing to do that. Letter in support or opposition,
6 or if they have any issues, on this case, on what's
7 before us. So, anyway.

8 Mr. Tummonds, how much time do you need for
9 rebuttal?

10 MR. TUMMONDS: Rebuttal, three minutes and a
11 closing statement, two.

12 CHAIRMAN HOOD: Okay.

13 MR. TUMMONDS: Great. First, more
14 housekeeping. In response to Commissioner Miller's
15 comments earlier about the activities that will be
16 included in the community green, there is both a
17 butterfly garden and a community garden are a part of
18 that to -- as we've talked about for this Block 7
19 case, that it will be right across the street from
20 the community green, and the idea of having the
21 multifamily building be fronting on to that was --
22 fronting on the community was part of the overall
23 development plan.

24 CHAIRMAN HOOD: Let me make sure that that
25 gets conveyed to the young folks? They seem to have

1 left me. But let's make sure that that gest conveyed
2 if somebody is with them, Ms. Elliott and others.
3 Make sure that gets conveyed to the young folks.
4 Okay. Perfect.

5 MR. TUMMONDS: Second, the applicant will
6 provide all the information that was requested at the
7 initial hearing, and also that was addressed this
8 evening in our post-hearing submission.
9 Specifically, this submission will include
10 information on security measures that have been
11 utilized at the Brookland Manor, and the plan that is
12 being under review for future security measures at
13 Brookland Manor, including the fencing that you've
14 heard about this evening.

15 Second, we'll address --

16 CHAIRMAN HOOD: Let me say, I also want to
17 know about the harassment.

18 MR. TUMMONDS: Yes. That's, I'm sorry, yes.
19 The security measures to make -- we will absolutely
20 address that.

21 Second, the tenant relocation plan we will
22 discuss and provide updates, which will also address
23 the onsite relocation process that has been occurring
24 to date, which includes no cost in the moves of those
25 existing residents. And finally, we will address the

1 issues that you discussed about the one-pager, to
2 address the issue of the numbers. And I know that
3 that was a discussion we had last time as well.

4 The applicant made a presentation last
5 Thursday night at a special public meeting of ANC 5C-
6 05, the single-member district commissioner, Regina
7 James, and at that meeting the applicant presented
8 this application. All seven commissioners of ANC 5C
9 were present, so I think they will be able to address
10 your request for a report in this case.

11 CHAIRMAN HOOD: So, they have a letter, the
12 ANC 5C will have a letter coming forward?

13 MR. TUMMONDS: I think that they have the
14 ability to provide such a letter since they had a
15 special public meeting that was --

16 CHAIRMAN HOOD: Support opposition. If it's
17 opposition issues. If it's support --

18 MR. TUMMONDS: Yes.

19 CHAIRMAN HOOD: -- they can just tell us they
20 support it and we'll note it.

21 MR. TUMMONDS: Exactly. I will know that.
22 But as you say, from that meeting, most of the
23 discussion was about a construction and development
24 plan.

25 CHAIRMAN HOOD: Okay.

1 MR. TUMMONDS: And so, we're prepared to
2 submit, in our post-hearing submission, that
3 construction development plan to talk about how the
4 impacts of the Block 7 construction will be mitigated
5 through the construction process.

6 CHAIRMAN HOOD: Okay. Before you go to
7 closing.

8 MR. TUMMONDS: Yes.

9 CHAIRMAN HOOD: We hate to keep interrupting,
10 but before you go to closing, Commissioner Shapiro
11 has something he wants to --

12 MR. TUMMONDS: Sure.

13 MR. SHAPIRO: Just, I'm trying to, as you
14 provide us information about specifically the
15 relocation and the displacement issues, you know,
16 since they're actual families, specific families
17 involved, and you have to tell me to some degree
18 what's appropriate and what's not appropriate in
19 terms of privacy. But, I would love to see in that,
20 if not specific names of families, at least if
21 there's some way to get at that, apartment units or
22 Family A, Family B. Something so that it feels
23 connected to individuals, and it's not just number of
24 units that are going to be retained.

25 MR. TUMMONDS: Okay. I mean, I think I

1 understand what you want from us and yes, and I
2 appreciate the fact that you recognize that there are
3 some things we'll have to maintain privacy, but we
4 will try and give you the full picture, I think, that
5 you are looking for.

6 MR. SHAPIRO: The full picture, exactly.
7 Thank you.

8 MR. TUMMONDS: Yes, sir.

9 CHAIRMAN HOOD: Let me also add, something
10 that's very dear and to some of us, some people who
11 may be autistic or whatever the case is, and I think
12 somebody testified, and I don't like to say
13 disabilities or anything, but some people who may be
14 adults and their children at one time, they are not
15 able to live by themselves. What are we doing about
16 that? What are we doing with people who are autistic
17 or --

18 MR. TUMMONDS: Special needs.

19 CHAIRMAN HOOD: -- who may have special
20 needs. You know, I don't really like to use special
21 needs or disability, autistic, or whatever the case
22 is, try to use more professional -- because you never
23 know. Some of us are just an accident away from
24 being in that position. So, what I -- I want to know
25 what's going to happen. You know, because some of

1 them may be 50 some-odd years old and not be able to
2 live on their own. And that happens everywhere, not
3 just at Brookland Manor, but that happens everywhere.

4 So, what are we doing to take care of that
5 need at Brookland Manor? I want that spelled out. I
6 want to make sure it's part of the order, and I want
7 to make sure that those folks are not disenfranchised
8 because of some of the abilities. Yes.

9 MR. SHAPIRO: Thank you, Mr. Chair, and just
10 a policy question. What is the policy regarding the
11 senior housing building? Who actually is able to
12 live in the building?

13 MR. TUMMONDS: Sure. We'll address that in
14 detail, but it is for residents 62 and above. And
15 so, you know, no one has to go into that senior
16 building. But if they choose to, they have to be 62
17 or over.

18 MR. SHAPIRO: So, no one else but -- all
19 residents have to be 62 and above?

20 MR. TUMMONDS: That's my understanding, yes.

21 CHAIRMAN HOOD: Has anyone --

22 MR. TUMMONDS: We'll confirm that.

23 MR. SHAPIRO: Thank you.

24 CHAIRMAN HOOD: Has anyone who is a senior
25 had to leave the site for any reason yet? No seniors

1 have left the site. Nobody is pushing the seniors
2 out.

3 MR. TUMMONDS: I mean, I think that is -- to
4 give the complete picture that you wanted and to
5 address the issues or charges raised about
6 displacement, our post-hearing submission will
7 address that to address your concern about the --

8 CHAIRMAN HOOD: No, I'm concerned. I'm
9 asking the question. You might want to bring some up
10 because I want to know right now. Have any seniors
11 been forced to leave the project?

12 MR. TUMMONDS: Not to our knowledge.

13 CHAIRMAN HOOD: Okay. Okay. And then, Mr.
14 Merrifield, if you can, if you have something
15 different than that, I need to know that too.
16 Also --

17 UNIDENTIFIED SPEAKER: I'd just like to --

18 CHAIRMAN HOOD: Excuse me. Excuse me. We
19 actually don't operate like that. Aren't you from
20 the law firm? The Neighborhood Legal Service? We
21 don't operate like that.

22 What else? I had another question.

23 MR. TURNBULL: Well, Mr. Chair, while you're
24 thinking about that it's so -- one of the comments
25 that came up was that is there a key in this

1 neighborhood that a lot of the seniors, grandparents,
2 grandmother and father are actually raising the
3 grandchildren. And so, that is a very a serious
4 issue for a lot of the people of the neighborhood
5 that they're concerned that if they can't go to the
6 senior building, how are they going to be able to
7 manage taking care of the grandchildren.

8 MR. TUMMONDS: Yeah.

9 MR. TURNBULL: Those kinds of unique family
10 situations. So, if we could address that?

11 MR. TUMMONDS: We'll address that, yes.

12 CHAIRMAN HOOD: And the next thing, the last
13 thing, well -- next to the last. Let me let the Vice
14 Chair go. Go ahead.

15 MR. MILLER: Thank you, Mr. Chairman. Yeah,
16 I just wanted to echo my fellow commissioner's
17 request for the further information that the
18 applicant says that they will be providing, including
19 an update on what she said you're going to provide,
20 update on the whole numbers issue. And as I recall
21 from testimony in the first stage, there was the
22 applicant contended that all but 13, I think, of the
23 four bedroom -- current four-bedroom units
24 households, all but 13 could be accommodated through
25 your terms. Right sizing, or having two units next

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1 to each other. And, some of those folks had housing
2 vouchers as I recall as well.

3 So, I guess I just want an update on that
4 whole -- on how the existing larger unit households
5 are going to be accommodated in the redevelopment and
6 how they're being accommodated in the relocation
7 onsite.

8 And on the housing voucher issue, it was
9 brought up by one of the recent witnesses that there
10 isn't the applicant, or the developer hasn't put
11 forth an agreement signed by the D.C. Housing
12 authority confirming that regardless of the new rents
13 at the redevelopment, current voucher holder tenants
14 will be permitted to rent above the DCHA, D.C.
15 Housing Authority established voucher caps. If you
16 could just address that issue as well as the other
17 issues on the numbers and the intergenerational
18 households?

19 So, we look forward to getting that
20 information.

21 MR. TUMMONDS: Okay. Perfect. Yes. And,
22 Chairman Hood, with regards to your question on
23 whether or not a senior has been asked to leave, we
24 need to make sure and confirm that. So, I you know,
25 we will check with property management and we will

1 have that --

2 CHAIRMAN HOOD: And that's any seniors. Let
3 me just ask you, let me just say this, Mr. Tummonds.
4 We have interrupted you so much, I know you were
5 doing some findings. You have any closing?

6 MR. TUMMONDS: Yes, I have a brief closing
7 and then we need to --

8 CHAIRMAN HOOD: Okay. Well, before you get
9 to closing, let's interrupt you a little bit more.
10 Any other questions?

11 I do want to make sure Ms. Elliott and
12 others --

13 MR. TUMMONDS: Yes.

14 CHAIRMAN HOOD: -- that meeting. So, the
15 trust meeting is what I'm going to call this. Not
16 the alternative meeting. You all have already had
17 that. We're going to have the trust meeting so it
18 gives Ms. Elliott and others -- and I'm not just
19 singling out Ms. Elliott, there are others there too.
20 But I just, I just know Ms. Elliott. I know she's a
21 stalwart in that neighborhood and has long -- I've
22 worked with her. So, I want that trust meeting to
23 happen. Okay?

24 Where are my little friends? You know, they
25 touched my heart. My little friends. Yeah. Maybe

1 they need to be -- tell them to come to that meeting
2 too. Okay? And make sure that garden and that
3 playground get in there. Okay? All right. All
4 right. So, seriously though, I think we can do it,
5 Ms. Elliott. I really do.

6 Okay. Mr. Tummonds, any closing?

7 MR. TUMMONDS: Very briefly. As we noted in
8 our opening statement --

9 CHAIRMAN HOOD: Colleagues always help me
10 out. So, okay, we're good. Go right ahead.

11 MR. TUMMONDS: Okay, perfect. As noted in
12 our opening statement, the Zoning Commission's review
13 of this second-stage PUD application is focused on a
14 detailed site plan review of the project to determine
15 its transportation management and mitigation
16 requirements, the final building and landscape
17 designing materials and compliance with the intent
18 and purpose of the first-stage order.

19 As we've heard tonight, we will have that
20 meeting with Ms. Elliott and her organization to
21 address the issues that we've raised. But, I think
22 it's also important that we recognize that the first-
23 stage order for this application established overall
24 development envelope, the mixture of uses and unit
25 sizes, the affordable housing requirements, and the

1 compatibility of this first-stage project with the
2 Comprehensive Plan and other established polices of
3 the District of Columbia.

4 The Zoning Commission in that first-stage
5 order made numerous findings regarding the first-
6 stage PUD's consistency with the Comp Plan, and we
7 believe that those policies are fully satisfied and
8 furthered with this stage-two PUD application.

9 It's important to remember that the rationale
10 for this first phase of the overall development of
11 taking Brookland Manor into its future was to one,
12 development a mixed income, multi-family building
13 that can accommodate residents relocated during
14 future phases of the overall site redevelopment, and
15 two, to construct a senior independent living
16 building, which is a top priority of Brookland Manor
17 residents, the Office of Planning, community members,
18 the ANC.

19 We believe that the record is complete and
20 full, that the applicant has satisfied the relevant
21 standards for approval of a second-stage PUD, and
22 that conclusion has been furthered by the Office of
23 Planning and the Department of Transportation.

24 We've heard everything you've said tonight.
25 We will provide a robust and full post-hearing

1 submission. And then we believe that this case will
2 be ready for your approval. Thank you very much for
3 your time and attention.

4 CHAIRMAN HOOD: Okay. Thank you. Mr.
5 Tummonds, I do want to add though, that our first
6 stage, and there may be some information that Office
7 of Planning and myself didn't have, and others.
8 While we approved the first-stage, from what I'm
9 hearing tonight, I'm not sure if all that's even
10 being honored. That's my concern.

11 MR. TUMMONDS: Okay.

12 CHAIRMAN HOOD: That's my concern. So, while
13 we approved it the first time, doesn't mean that some
14 of the stuff we approved from where I'm hearing, is
15 being honored. That's why some of the stuff I asked
16 for today, I want to make sure that first stage is
17 being honored. If not, then that's where we'll be,
18 at first stage as far as I'm concerned. So, that's
19 kind of where I am.

20 MR. TUMMONDS: I understand completely. Yup.

21 CHAIRMAN HOOD: All right. Anything else,
22 Commissioners?

23 Ms. Schellin, do we have any dates?

24 MS. SCHELLIN: We need to do cross. He needs
25 to have an opportunity to do cross on rebuttal.

1 CHAIRMAN HOOD: Okay.

2 [Pause.]

3 CHAIRMAN HOOD: All right. Commissioner May,
4 typically we don't cross -- Commissioner May actually
5 mentioned this earlier, and I need to get a ruling
6 from our general counsel, so I'm saying this for
7 other people who may read the transcript later. I'm
8 not sure. I don't think we really cross an attorney,
9 but you did do the rebuttal, so we're going to have
10 to cross.

11 So, what I would ask you to do is the
12 subjects that you talk about, if there is any cross,
13 just bring the appropriate person up to do the
14 rebuttal. I think that's the cleanest way to do
15 that.

16 Does the -- oh, the ANC is not here. Mr.
17 Merrifield. Okay, so you saved me from another
18 issue. Okay.

19 MS. SCHELLIN: Yeah. I mean, it sounded more
20 like all closing than anything, but --

21 CHAIRMAN HOOD: Sure. Come forward.

22 MR. MERRIFIELD: Just for my clarification,
23 with the one-pager, at the February 23rd meeting,
24 they did not have a number of the current residents
25 there. So, before I submit that one-pager I'm going

1 to need the demographic information from them.

2 CHAIRMAN HOOD: Can we get him all the -- not
3 the alternative stuff. Let's get him the trust stuff
4 so he can work with real numbers, because I need to
5 know real information in these one-pagers.

6 MR. MERRIFIELD: Sure.

7 CHAIRMAN HOOD: It's critical.

8 MR. TUMMONDS: I mean, I think what is
9 typically the case right, we provide our submission.
10 They then have the week to respond and then if they
11 need more time to --

12 CHAIRMAN HOOD: But don't you serve the party
13 in opposition?

14 MR. TUMMONDS: Yeah, absolutely.

15 CHAIRMAN HOOD: Yeah. So, you'll have it.

16 MR. MERRIFIELD: And just one more thing. I
17 think the demographic information that was asked for
18 was provided in the first-stage, so if we could have
19 the same sort of breakdown we had at that first-
20 stage, with the demographic information that was
21 provided, I think it's what the Commissioner requests
22 and I think it would be helpful for all parties to
23 get a clear understanding of what's happening on the
24 ground out there.

25 CHAIRMAN HOOD: Okay.

1 MR. TUMMONDS: Yeah, we agree.

2 CHAIRMAN HOOD: All right. All right.

3 Anything else? Do we need dates? We need dates?

4 MS. SCHELLIN: Yes, we need dates. So, Mr.
5 Tummonds, with the information it sounds like Mr.
6 Lewis kept a list back there of everything that the
7 Commission asked for. Would your clients be able to
8 get you everything by March -- I'm sorry, be able to
9 make the submissions by April 3rd?

10 MR. TUMMONDS: Yes, April 3rd.

11 MS. SCHELLIN: Okay. And then the parties,
12 which would be you, Mr. Merrifield, and the ANC's
13 would have until -- and that's 3:00 p.m. Would then
14 have until 3:00 p.m. April 10th, to make their
15 submissions.

16 And actually, I'm going to allow a little
17 more time. The applicant would have until -- I'm
18 sorry, April 10th, 3:00 p.m. And then the parties
19 would have until April 17th, 3:00 p.m. And then the
20 Commission's meeting is April 24th at 6:30 p.m.

21 Now, even though the District has a holiday
22 on the 17th, the submissions are electronic so you
23 can submit those to us 24 hours a day. We'll receive
24 them.

25 CHAIRMAN HOOD: Is the 17th on a Monday?

1 MS. SCHELLIN: Yes.

2 CHAIRMAN HOOD: Why don't you just make them
3 submission that Tuesday? Everybody wants to enjoy
4 the holiday.

5 MS. SCHELLIN: Okay, sure. But --

6 CHAIRMAN HOOD: Even though I don't get it.
7 But everybody wants to enjoy the holidays.

8 MS. SCHELLIN: Yeah, right. It's only
9 District employees anyway.

10 CHAIRMAN HOOD: Thank you for reminding me.

11 MS. SCHELLIN: Yes. You get some we probably
12 don't get, so.

13 MR. TUMMONDS: And then, Ms. Schellin,
14 findings of fact also due on the 10th?

15 MS. SCHELLIN: Draft findings of fact,
16 conclusions of law would be due the -- on the 10th,
17 yes. So, Mr. Merrifield, if you want to submit draft
18 findings of fact, conclusions of law, they would be
19 due on the 10th.

20 MR. MERRIFIELD: It's going to be tough for
21 me to submit my draft findings of fact, conclusions
22 of law without the data from the demographics. As
23 Mr. Hood pointed out, sort of the -- my argument will
24 rest on whether this plan is consistent with the
25 first stage. So, I need to be able to evaluate those

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1 demographics before I can consider --

2 CHAIRMAN HOOD: What do you need quickly?
3 Can we get it quickly, whatever he needs?

4 MR. TUMMONDS: I think it makes sense that,
5 you know, that just as we are filing all of our
6 submissions on the 10th, our findings of fact and our
7 post-hearing submission, that they could file --

8 MS. SCHELLIN: We could back the dates up by
9 a week.

10 MR. MERRIFIELD: Or, I could just -- if I
11 could --

12 MS. SCHELLIN: Do you want to back it up?

13 MR. MERRIFIELD: If I could file my draft
14 findings of fact, conclusions of law on the 18th.

15 MR. TUMMONDS: That's what I mean. Yeah,
16 that's what I was saying.

17 MR. MERRIFIELD: Along with my response to
18 the submissions that they submit, I just need time to
19 evaluate the --

20 CHAIRMAN HOOD: That's fine. That's fine.
21 When are we going to take this up?

22 MS. SCHELLIN: The 24th of April.

23 CHAIRMAN HOOD: That's fine. Yeah.

24 MR. MERRIFIELD: Okay.

25 CHAIRMAN HOOD: My colleagues --

1 MS. SCHELLIN: And just so you know, you do
2 not respond to his draft findings of facts,
3 conclusions of law. No responses are allowed to
4 draft findings of fact, conclusions of law.

5 MR. MERRIFIELD: Sure. Mine will be just
6 limited to the record and the demographic supervisor.

7 MS. SCHELLIN: Yes. Okay. I just wanted to
8 make it clear --

9 MR. MERRIFIELD: Thank you. Thank you,
10 though. Yeah.

11 MS. SCHELLIN: -- that you're only responding
12 to the submissions and not the draft order.

13 MR. MERRIFIELD: Got you.

14 CHAIRMAN HOOD: Can you all make that
15 straight to the point? It's not the only case we
16 have. I mean, you know, let's get it -- that's why I
17 say, one-pager, right to the point.

18 MR. MERRIFIELD: Sure.

19 CHAIRMAN HOOD: As much as you can.

20 MR. MERRIFIELD: Absolutely.

21 CHAIRMAN HOOD: Not like 50 pages.

22 MR. MERRIFIELD: No.

23 CHAIRMAN HOOD: Okay.

24 MS. SCHELLIN: Okay. And, Mr. Tummonds, your
25 draft is still due on the 10th, though.

1 MR. TUMMONDS: Yes. Yes. Absolutely.

2 MS. SCHELLIN: All right. Thank you.

3 CHAIRMAN HOOD: All right. Do we have
4 anything else? And the meeting is -- I already said
5 about the meeting.

6 MS. SCHELLIN: April 24th.

7 CHAIRMAN HOOD: No, no.

8 MS. SCHELLIN: They are going to --

9 CHAIRMAN HOOD: No, what --

10 MR. TUMMONDS: The trust meeting.

11 CHAIRMAN HOOD: The trust meeting.

12 MS. SCHELLIN: Trust meeting, yes.

13 CHAIRMAN HOOD: Okay.

14 MR. TUMMONDS: We will have the trust meeting
15 well in advance so that we can address that in our
16 time to file.

17 CHAIRMAN HOOD: Might need to have more than
18 one.

19 MR. TUMMONDS: Correct.

20 CHAIRMAN HOOD: Okay. All right. So,
21 anything else? So, with that I want to thank
22 everyone for their participation tonight and this
23 hearing is adjourned.

24 [Whereupon, the Public Hearing adjourned at
25 9:25 p.m.]