

GOVERNMENT OF  
THE DISTRICT OF COLUMBIA

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ZONING COMMISSION

+ + + + +

PUBLIC HEARING

+ + + + +

-----:  
 IN THE MATTER OF: :  
 :  
 Hanover R.S. Limited Partnership :  
 Consolidated PUD & Related :  
 Map Amendment from PDR-2 to MU-4 : Case No. 22-04  
 & MU-6A, Reed & Franklin Sts., NE.:  
 @ Sq. 3841, Lots 38, 825, :  
 829, & 832-834; & Sq. 3846, :  
 Lots 82, 846, 856, & 859 - Ward 5 :  
 -----:

THURSDAY

JULY 21, 2022

The Public Hearing of Case No. 22-04 by the District of Columbia Zoning Commission convened via videoconference, pursuant to notice at 4:00 p.m. EDT, Anthony J. Hood, Chairperson, presiding.

ZONING COMMISSION MEMBERS PRESENT:

- ANTHONY J. HOOD, Chairperson
- ROBERT MILLER, Vice Chairperson
- JOSEPH IMAMURA, Commissioner
- PETER MAY, Commissioner

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OFFICE OF ZONING STAFF PRESENT:

SHARON SCHELLIN, Secretary  
PAUL YOUNG, Zoning Data Specialist

OFFICE OF PLANNING STAFF PRESENT:

JENNIFER STEINGASSER, Deputy Director  
JOEL LAWSON, Project Manager

DISTRICT DEPARTMENT OF TRANSPORTATION PRESENT:

KELSEY BRIDGES, Transportation Planner

ADVISORY NEIGHBORHOOD COMMISSION 4B (ANC 4B) PRESENT:

GAYLE CARLEY, Commissioner

OFFICE OF ZONING LEGAL DIVISION STAFF PRESENT:

JACOB RITTING, ESQUIRE

The transcript constitutes the minutes from the  
Public Hearing held on July 21, 2022

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

2 (4:00 p.m.)

3 CHAIRPERSON HOOD: Good afternoon, ladies and  
4 gentlemen. Today's date is July the 21st, 2022. We are  
5 convening and broadcasting this public hearing by video  
6 conferencing. My name is Anthony Hood, and I'm joined by  
7 Vice Chair Miller, Commissioner Imamura, and Commissioner May.  
8 We're also joined by the Office of Zoning staff, Ms. Sharon  
9 Schellin, as well as Mr. Paul Young, who will be handling all  
10 of our virtual operations, and Mr. Jacob Ritting, who is our  
11 Office of Zoning Legal Division counsel. I would ask others to  
12 introduce themselves at the appropriate time.

13 The virtual public hearing notice is available on the  
14 Office of Zoning's website. This proceeding is being recorded  
15 by a court reporter, and the platforms used are Webcast live;  
16 Webex and YouTube live. The video will be available on the  
17 Office of Zoning's website after the hearing.

18 All persons planning to testify should have signed up  
19 in advance and will be called by name at the appropriate time.  
20 At the time of sign-up, all participants will complete the oath  
21 or affirmation required by Subtitle Z, 408.7. Accordingly, all  
22 those listening on Webex or by phone will be muted during the  
23 hearing, and only those who have signed up to participate or  
24 testify will be unmuted at the appropriate time. When called,  
25 please state your name and home address before providing your

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1 testimony. When you are finished speaking, please mute your  
2 audio.

3 If you experience difficulty accessing Webex or with  
4 your telephone call-in or have not signed up, then please call  
5 our OZ hotline number at 202-727-0789. If you wish to file  
6 written testimony or additional supporting documents during the  
7 hearing, then please be prepared to describe and discuss it at  
8 the time of your testimony.

9 The subject of this afternoon's case is Zoning  
10 Commission Case No. 22-04. This is the Hanover R.S. Limited  
11 Partnership Consolidated review and approval of a Planned Unit  
12 Development and Zoning Map Amendment at Square 3846, Lots 38,  
13 825, 829, 832, 833; Square 3841, Lot 834, Reed Street. Again,  
14 today's date is July the 21st, 2022.

15 The hearing will be conducted in accordance with  
16 provisions of 11-Z DCMR, Chapter 4, as follows: preliminary  
17 matters; the Applicant's case. The Applicant has up to 60  
18 minutes. I'm not sure if we need 60. Let's hit the highlights  
19 and try to do it in 30 or less; report of the Office of  
20 Planning; report of government agencies; report of the ANC, in  
21 this case, it's ANC 5B; testimony of organizations, five  
22 minutes and individuals, three minutes. And we will hear in  
23 the order from those who are in support, opposition, and  
24 undeclared; then we will have rebuttal and closing by the  
25 applicant.

1           Again, the OZ hotline number for any issues are 202-  
2 727-0789 for any concerns during these proceedings.

3           At this time, the Commission will consider any  
4 preliminary matters.

5           Does the staff have any preliminary matters?

6           MS. SCHELLIN: Yes, sir, a couple expert witnesses.  
7 First, the ones that have previously been accepted, if the  
8 Commissioner would accept them as experts in this case:  
9 Chris Harvey, Design Director with Hord, Coplan and Macht. I  
10 believe he's an architect; Brandon Robinson, an architect;  
11 Erwin Andres, transportation expert; Michael O'Hara, Engineer.  
12 Those are the four that have previously been accepted, if the  
13 Commission would accept those four in this case.

14           And then there are two new ones: Aaron Wilke is an  
15 architect with The Hanover Company; Andrea Foss with Steven  
16 Winter Associates, a sustainability director. The last one is  
17 --

18           CHAIRPERSON HOOD: Let's take the first four. I  
19 believe they were called. Any objections to already continue  
20 the status of giving them expert status in their respective  
21 fields?

22           (No audible response.)

23           CHAIRPERSON HOOD: Not seeing any objections, let's  
24 go to Aaron Wilke. His resume is Exhibit 18D, page 11, The  
25 Hanover Company architect. Any objections?

1 (No audible response.)

2 CHAIRPERSON HOOD: Okay. Not seeing any, we'll --

3 COMMISSIONER IMAMURA: But -- no objections,  
4 Mr. Chairman, just does specify that he's a landscape  
5 architect.

6 CHAIRPERSON HOOD: Okay. Thank you.

7 With that note, we will --

8 COMMISSIONER MAY: Mr. Chairman, I just have a -- I  
9 have a question about that, because Hanover is the developer,  
10 right? And --

11 CHAIRPERSON HOOD: Yeah, that's the name, yeah,  
12 Hanover R.S. Limited Partnership.

13 COMMISSIONER MAY: And the landscape architect,  
14 because we've tended not to accept the expertise of the  
15 developer themselves.

16 CHAIRPERSON HOOD: Let's bring -- okay. Let's  
17 hold -- let's put Wilke in the -- Aaron Wilkes, excuse me, in  
18 the parking lot, which gets crowded at times. Let's go to  
19 Andrea Foss, being proffered as sustainability, Exhibit 18D,  
20 page 13.

21 COMMISSIONER MAY: Yeah, I didn't see any problem.

22 CHAIRPERSON HOOD: Okay. No problem with her. Okay.  
23 So let's bring counsel up, and let's also bring Mr. Aaron Wilke  
24 -- Wilkey. Hopefully, I'm pronouncing that correctly. If not,  
25 I'm sure they'll correct me. Let's bring those two up, the

1 applicant and for now Mr. Aaron Wilkey or Wilke.

2 All right. Mr. Wilke, could you, first of all --  
3 I'll just go -- I can go without your counsel. See they're --  
4 look like they're having some problems. There we go.

5 MS. SHIKER: Hi. Chairman Hood. Good evening.  
6 Sorry. We need to -- we're all together tonight, so we need to  
7 switch our video just a little bit.

8 Scoot it over just a little bit to the other side,  
9 please so we can be on camera.

10 Chairman Hood, Mr. Wilke was accepted as an expert in  
11 a past case, in Zoning Commission case 18-21; however, he is  
12 only here for answering any questions that we may have. So if  
13 the Commission would like to wait, just to see if we need him  
14 for questions, we're happy to do that as well. But again, he  
15 was accepted. He is not a representative of the developer, but  
16 he is part of the landscape (audio interference).

17 CHAIRPERSON HOOD: Is this Holland & Knight again?  
18 Is this Holland & Knight again, where they all sit together and  
19 then we have problems the whole hearing? I'm just curious.

20 Because you went out, and we missed a lot of what you  
21 said. But he's already been accepted previously is what we're  
22 being told?

23 COMMISSIONER MAY: Yeah. I --

24 CHAIRPERSON HOOD: Commissioner May?

25 COMMISSIONER MAY: I have a question about that. I

1 mean, what was that case? Was that a Hanover development for  
2 which he was accepted?

3 MS. SHIKER: So the --

4 COMMISSIONER MAY: Sorry. Go ahead.

5 MR. GORDON: Can I make a suggestion?

6 MS. SHIKER: Yeah.

7 MR. GORDON: So we should -- if the technology  
8 permits, we should call in on a hard line. We're having some  
9 video conferencing issues.

10 MS. SHIKER: We are having some conferencing issues.

11 MR. GORDON: What we should do is we should change  
12 our audio to a conference call and just have this be a video  
13 feed. Because otherwise the audio -- we're not going to be  
14 able to hear what they're saying.

15 CHAIRPERSON HOOD: Well, let me just ask this. Are  
16 you all in the Holland & Knight office?

17 MS. SHIKER: We are. Sorry, we are having a bit of a  
18 technical problem, so give us one minute. We're trying to  
19 figure that out. Can you hear us okay, Chairman Hood?

20 CHAIRMAN HOOD: I can hear you, but can you hear us?

21 MS. SHIKER: So we -- okay. So we are having a hard  
22 time hearing you.

23 To answer Commissioner May's question, it was in  
24 Zoning Commission Case 18-21 that he was previously accepted.  
25 But again, because he is simply here to answer any questions,

1 we're happy to waive, if needed.

2 CHAIRMAN HOOD: All right. I don't want to spend 30  
3 minutes on this, so let's --

4 COMMISSIONER MAY: I just want an answer to the one  
5 question, which is in the previous case when he was accepted,  
6 was Hanover also the developer?

7 MR. WILKE: Yes.

8 CHAIRPERSON HOOD: The problem is they can't hear is.

9 COMMISSIONER MAY: Well --

10 UNIDENTIFIED SPEAKER: Yes, sir, Mr. May.

11 COMMISSIONER MAY: Okay. All right, well --

12 CHAIRPERSON HOOD: Okay. So --

13 COMMISSIONER MAY: -- I wish I had caught that at  
14 that time, because I would have raised a red flag then.

15 Anyway, that's fine. We, you know, we can go in the direction  
16 that Ms. Shiker suggests. That's fine with me.

17 CHAIRPERSON HOOD: Okay. Ms. Shiker, if you can hear  
18 me, can you just wave your hand?

19 (No audible response.)

20 Okay, they can't hear me. So I would ask that they  
21 get --

22 Ms. Schellin, do you know if that's the Holland &  
23 Knight office they're in? Mr. Wilke, is --

24 MS. SCHELLIN: I believe it is, yeah.

25 CHAIRPERSON HOOD: I think we're going to ban them.

1 We're going to legislate them from having hearings in the  
2 Holland -- last time we had the same problem.

3 MS. SCHELLIN: I think it's because they have  
4 multiple computers up, and that's the issue. They can't be  
5 logged on. They can have multiple computers logged on in the  
6 same room.

7 CHAIRPERSON HOOD: Ms. Shiker, can you all cut off  
8 all your computers except one, if you can hear me?

9 MS. SHIKER: Okay. We need to turn the mute on.

10 CHAIRPERSON HOOD: Can you all turn all your  
11 computers off, Ms. Shiker? Can you hear me? Wave your hand,  
12 Ms. Shiker.

13 Turn all your computers off. Turn all of them off  
14 except for one.

15 Ms. Schellin, can we get a text amendment from the  
16 Office of Planning that Holland & Knight cannot use -- last  
17 time, it took us 30 extra minutes.

18 MS. SCHELLIN: Okay.

19 COMMISSIONER MAY: I do recommend that next time  
20 Holland & Knight has a case, that they spend a little time with  
21 Mr. Young in advance of the meeting so that they are prepared.  
22 We don't have to go through this during the actual hearing.

23 CHAIRPERSON HOOD: Right. I would agree. We will  
24 make that recommendation. I asked Ms. Schellin to pass that  
25 on.

1 COMMISSIONER MAY: Yeah. So they won't have to --

2 MS. SCHELLIN: Yeah. All they need to do is log on  
3 early.

4 COMMISSIONER MAY: Right.

5 CHAIRPERSON HOOD: Okay.

6 MS. SHIKER: All right. Can you hear us now?

7 MS. SCHELLIN: Yes.

8 CHAIRPERSON HOOD: Yes, we can hear you now. Thank  
9 you.

10 MS. SHIKER: All right. Thank you. And we are sorry  
11 for that. We had had success, but -- we did log on early, but  
12 unfortunately, we tested everything but it didn't work as well  
13 as we'd hoped. So anyway, we are back, and we can hear you, so  
14 let us move forward.

15 CHAIRPERSON HOOD: So -- good. I will tell you that  
16 there were some very bad things said about you all, but we will  
17 forego that at this time and let you all go and proceed.

18 So Ms. Shiker, you may begin.

19 MS. SHIKER: All right. So thank you. So we have  
20 our expert witnesses.

21 I do want to ask if the PowerPoint could be pulled  
22 up. Thank you. And if we could go to the next slide.

23 And Chairman, in response to your question, we will  
24 try to keep this shorter. We'll do more of an abbreviated  
25 presentation than we had originally planned. And it's still

1 covering all of the information that we need. So we --

2 CHAIRPERSON HOOD: Let me ask you this, Ms. Shiker.  
3 Let me interrupt. Do you know of any known opposition? I  
4 didn't see -- all I saw was a lot of -- plethora of support.

5 MS. SHIKER: So I do not know of any opposition,  
6 although I will say that I do think that there was a person who  
7 signed up at the -- very, very recently that is identified as  
8 an opponent --

9 CHAIRPERSON HOOD: Okay.

10 MS. SHIKER: -- but there are no letters of  
11 opposition in the record.

12 CHAIRPERSON HOOD: Okay. All right. Well, let's  
13 proceed. Thank you.

14 MS. SHIKER: Okay. Thank you. And I thank you for  
15 your patience.

16 Again, I'm Christine Shiker with the law firm of  
17 Holland & Knight. I'm joined by Chris Cohen, as well as  
18 Dan Gordon from The Hanover Company and Chris Harvey from the  
19 architect. Erwin Andres needs to be brought up too.  
20 Unfortunately, he was unable to be in our group today, and so  
21 he will be testifying as well. So if he could be pulled in too  
22 as a panelist, I would appreciate it.

23 MS. SHIKER: (Audio interference) to MU-4 and from  
24 PDR2 to MU-6A. The proposed project is a mixed-use development  
25 to be constructed in two phases along the realigned Reed

1 Street. The project includes approximately 683 residential  
2 units, including more than 100 affordable housing units. It  
3 also includes three affordable artists of work units and more  
4 than 18,000 square feet of PDR space.

5 Next slide, please.

6 The site is located within the Brookland community  
7 immediately east of the WMATA tracks. It extends from Franklin  
8 Street on the north, down to south of Evarts Street, abutting  
9 the Brookland Press apartment houses.

10 Next slide, please.

11 As I noted, the side is PDR-2, and we are seeking  
12 zoning map amendments to MU-4 on the northeast corner and MU-6A  
13 on the western side of the site. A very small portion of the  
14 site is already zoned MU-6B, and there is no need for a  
15 requested change on that site.

16 Next slide, please.

17 We'll talk more about the Comprehensive Plan towards  
18 the end of our presentation, but the Future Land Use Map does  
19 designate this as mixed-use for PDR with high-density  
20 residential, generally on the west portion of the site and  
21 moderate density on the northeast portion.

22 Next slide, please.

23 The project will be constructed in two phases, as you  
24 can see here. And I will note that plan right is north, so we  
25 have flipped to our side, so North is on the right side of the

1 page. Phase I is the southern-most building. Phase IIA and  
2 Phase IIB abut Franklin Street. Phase I and Phase IIB are  
3 separated by a private alley that extends from Evarts Street,  
4 and that's going to provide access to both portions of the  
5 building. Phase I and Phase IIB are connected by an  
6 above-grade amenity space, which creates a single building for  
7 zoning purposes on the west side of Reed Street.

8 I want to note that Reed Street is currently an alley  
9 and will continue to legally be an alley after realignment.  
10 Therefore, you have a single building on the west side of Reed  
11 and then a single building on the east side, which is phase  
12 II2A. While Franklin Street abuts Phase IIA at grade, phase  
13 IIB abuts Franklin Street, as it's more of a bridge. And so we  
14 wanted to confirm that we are taking our building height  
15 measuring point from grade, which is approximately 11 to 12  
16 feet below where that bridge is. So it is, in fact, not taken  
17 from a bridge. As I noted, Reed Street will continue to  
18 legally be an alley. But as we've agreed to with DDOT, we will  
19 be constructing it to street standards. It is just not wide  
20 enough to be dedicated as a street, which is why it's staying  
21 as an alley.

22 Next slide, please.

23 Our team has worked very closely with many District  
24 agencies; OP, DDOT, DHCD, DPR, DOEE, and we have had a really  
25 great working relationship through this process. We are

1 | pleased to have the Office of Planning's support. And I will  
2 | note, there was just a couple of comments in their report that  
3 | I wanted to address. We are going to continue to work with  
4 | them on the revised flexibility for the IZ units. But I do  
5 | want the Commission to know that we are committing to  
6 | 15 percent of the residential gross floor area, as shown in  
7 | these plans, even if that went down later, like with  
8 | construction drawings. So it is the 15 percent of that current  
9 | square footage is what we are committing to for IZ, as  
10 | allocated or identified in the plan.

11 |           We also have the additional 3700 square feet of  
12 | affordable artist live-work units. OP requested some  
13 | flex -- different flexibility for the balconies which we agreed  
14 | to. They also asked for some additional information on  
15 | signage, which we did submit into the record at Exhibit 52A and  
16 | which we're going to present. It's included as part of our  
17 | presentation.

18 |           Next slide, please.

19 |           DDOT has also indicated no objection, subject to  
20 | conditions, and Mr. Andres will talk about those conditions. I  
21 | will just note that they're conditioned that we enter into a  
22 | Horizontal Public Use Agreement. We have already prepared that  
23 | document and submitted it to DDOT. It is currently under  
24 | review, and we are hopeful to have a final agreed upon document  
25 | before the end of the summer.

1 With that, next slide, please.

2 And I'll turn it over to Dan Gordon, a representative  
3 of the Applicant. Thank you.

4 MR. GORDON: Hi. I'm Dan Gordon. I'm a partner with  
5 The Hanover Company. I'll very briefly introduce our  
6 organization. We specialize in development of high-quality.  
7 multi-family projects around the country. What sets us apart  
8 is that we're vertically integrated. We're our own  
9 construction group. We're our own asset manager. We have our  
10 own landscape architecture, interior architecture and design  
11 management architecture firms internally. We also work with a  
12 host of outside consultants who help us succeed on our  
13 projects.

14 Hanover has built or is in the process of developing  
15 75,000 units across the country. And that includes 5,000  
16 units, either in predevelopment or various stages of  
17 development or that were previously built in the D.C. Metro  
18 Area. The Zoning Commission may remember us from a recent  
19 case, Hanover 8th Street, which was a PUD in which the  
20 Commission approved 377 units, of which 46 were inclusionary  
21 zoning.

22 If we could go to the next slide. Next slide.

23 We have been very actively involved with the  
24 community in this case. Even before we became involved in this  
25 case, the community was working actively; the ANC, the BNCA,

1 | which is the Brookland Neighborhood Civic Association, and a  
2 | bunch of 200-footers with the Commission and with members of  
3 | D.C. government on revisions for the FLUM.

4 |           We're very proud of our community engagement on this  
5 | site. Since beginning development, we've been in constant  
6 | conversation with community leadership, and we've worked in  
7 | partnership with community leadership to advance the plans and  
8 | respond to comments.

9 |           At the outset of our involvement, we walked the site  
10 | with the leadership of the BNCA and some 200-footers. We then  
11 | immediately engaged with the ANC. Throughout the process,  
12 | we've had in excess of 25 formal community meetings and many  
13 | offline meetings.

14 |           Let's go to the next slide.

15 |           The biggest issue we've discussed with the community  
16 | on this project has been traffic. We have had several  
17 | meetings, both with community leadership on traffic, with DDOT  
18 | on traffic, and we've brought those groups together. We've  
19 | also held other issue-specific meetings.

20 |           We are very pleased to have support from the SMD in  
21 | this district, Commissioner Ra Amin, two of his colleagues on  
22 | the ANC, and from the BNCA, whose membership voted unanimously  
23 | to support the project. While the ANC has not taken an  
24 | official position on the PUD as a body, it did vote unanimously  
25 | on June 22nd to support the realignment of Reed Street and the

1 associated alley closings and dedications.

2 If we could go to the next slide.

3 Even before we engaged with the community, we  
4 suggested a substantial setback on our Phase IIA building, a  
5 one-to-one setback for two levels above the fourth level to try  
6 and pull the building back from the immediate community. After  
7 engaging with the community, we ended up removing a habitable  
8 penthouse in the Phase IIA building, we adjusted ground-level  
9 setbacks in the IIA building, we added some additional  
10 affordable three-bedroom units, we've reduced vehicle parking,  
11 and foremost, we've engaged in substantive conversation with  
12 the community about traffic calming and control measures. And  
13 we have a traffic calming plan that has been the result of  
14 probably 20 iterations with the community.

15 If we could go to the next slide.

16 I'll just very briefly touch on our community  
17 benefits package. We're excited to be offering 15 percent of  
18 our overall residential GFA as affordable housing, excuse me,  
19 as inclusionary zoning. At the time that we made that proffer,  
20 our understanding is that that was the highest proffer of  
21 inclusionary zoning for a market rate PUD.

22 Also very substantial, as part of our amenities and  
23 benefits package, is our transportation infrastructure. We are  
24 in the course of realigning Reed Street; raising the grade,  
25 connecting Reed street to a bridge; relocating a 100-year-old

1 six-foot sewer; relocating a 30-inch water transmission main;  
2 adding, we hope, a signalized intersection at the intersection  
3 of Franklin and Reed; and in the course of other components of  
4 the traffic improvements, spending at least 7 million,  
5 potentially in excess of 7 to \$8 million on realignment of the  
6 transportation grid and improvement of the traffic control  
7 measures in the area.

8           There are a range of other benefits called out on our  
9 plans, excuse me, our slides. In the interest of time, I'll  
10 just say we've proffered LEED Gold. There are a bunch of uses  
11 of special value to the neighborhood, including an effort to  
12 help start a farmer's market on Reed Street and contributions  
13 to (audio interference).

14           CHAIRPERSON HOOD: Okay. I think -- I think we lost  
15 you after contributions. So if you can pick it up from there.

16           MR. GORDON: Sorry about that. So, yes. So  
17 transportation infrastructure, and then contributions to the  
18 community. We're contributing funds to help start a farmer's  
19 market, and then we are contributing funds to the most  
20 immediate elementary school. We're commuting -- contributing  
21 funds and/or providing our own expertise to help improve Noyes  
22 Park, and we're contributing to a variety of neighborhood,  
23 not-for-profits.

24           And I'm handing it over now to Chris Harvey, our  
25 architect.

1 MR. HARVEY: You can go to the next slide.

2 MS. SHIKER: We're going to go to the next two  
3 slides.

4 MR. HARVEY: Got it. Yes. Yes.

5 MS. SHIKER: Next slide.

6 MR. HARVEY: Next one. Great. This is perfect.  
7 Thank you.

8 My name is Chris Harvey with Hord Coplan Macht  
9 Architects. I'm going to go through a number of slides that  
10 kind of talk about the architecture, character, and language of  
11 the buildings. So I'm going to be going pretty quickly. This  
12 first slide is really just showing the existing conditions in  
13 the site. You can kind of see Reed Street terminating and  
14 Evarts, where it then terminates into a series of small  
15 alleyways. And we have some context shots that are going to  
16 kind of show you the character of this space. Kind of south of  
17 Evarts to the left, you have a couple of new multifamily  
18 buildings. And then after that, you have kind of this existing  
19 conditions.

20 You can go to the next slide.

21 So the shots on the top show some of those  
22 multifamily buildings. Again, south of Evarts Street, you have  
23 the -- on the left, the Brookland Press, which is kind of a  
24 reworking of an old press building. To the far right is also  
25 Brookland Press. And in the center there is the Rowan, which

1 is a new multi-family apartment building that was just  
2 completed. All are scale. Down at the bottom, you see some of  
3 the character at the bottom left of Evarts Street, driving into  
4 the site. And then where it kind of turns into these smaller  
5 alleys on our site, which we are realigning, you have some  
6 existing, you know, kind of solid one-story office buildings,  
7 some Quonset huts, a kind of a mishmash of different buildings  
8 on the site.

9           You can go to the next slide.

10           So this will be a very transformative project. We're  
11 very excited about it. It isn't just one building on this  
12 site, but it's actually three that will really create a heart  
13 of this neighborhood. It's something that is lacking right  
14 here now. Extending Reed Street to Franklin Street will really  
15 create almost a living room, a front door for this  
16 neighborhood, a place for the residents to gather. This shot  
17 is kind of an aerial view looking down. We've committed 3,200  
18 square feet of roof area for solar panels. And you can see  
19 that kind of on that Phase I building off to the left.

20           We also have 30,000 square feet of vegetative roof  
21 for these buildings. As Dan mentioned, this is a LEED Gold  
22 project. And one thing that's important, before I get into the  
23 three-dimensional images, is the massing of this. You're going  
24 to start to see some 3D massing images. But where the Rowan  
25 is, towards the left, and where the Brookland Press, the larger

1 multifamily buildings, that's where we created our density.

2           And you can see in our planning where we opened our  
3 courtyards to Reed Street. We did this to really open up air,  
4 light, to this community, break the scale down. And again,  
5 you'll see on these 3D views I'm about to show you.

6           You can go to the next shot.

7           So this is the first aerial. And again, those kind  
8 of gray masses there that are surrounding the Phase I, and you  
9 can see that kind of pointing down to the Phase I, that is the  
10 Brookland Press on the left, the Rowan to the right, and our  
11 building, the taller mass, the largest mass of our three  
12 buildings, is kind of adjacent to them. And then after that,  
13 you can see how these courtyards are facing Reed Street, facing  
14 the community, opening these courtyards up and those spaces to  
15 Reed to, again, let light in and just be less impactful to the  
16 neighborhood. And in the far right, Phase IIA, you'll see  
17 we're kind of referring to a building that is stepping down and  
18 stepping back at the top floor, removed the penthouse. That's  
19 the building that has the closest impact to the neighborhood.

20           You can go to the next shot.

21           This is just a different view; kind of Franklin  
22 Street is in the foreground there going over the tracks.  
23 Again, a view of that two-way building you see right in the  
24 foreground. So you see the smaller two- and three-story row  
25 houses of the existing context, the neighborhood, and then

1 | you'll see how our two-way building is then stepping up, and  
2 | then a very large one-to-one setback for the two floors that  
3 | are on top of that. And then as you hit Reed Street again,  
4 | you're starting to read those open court spaces facing Reed.

5 |           You can go to the next shot.

6 |           And this is a view kind of -- that's Franklin Street  
7 | in the foreground. This is the track side. We intentionally  
8 | created a little bit more of that verticality and that mass  
9 | along the tracks, creating a buffer to the neighborhoods. So  
10 | again, I was kind of referencing opening to the neighborhood.  
11 | This is where we do have a little bit of a stronger facade  
12 | facing those tracks. This was an area that had a lot of large  
13 | industrial buildings, much like the Brookland Press, as its  
14 | history, and it's something that we're building off of, in  
15 | terms of the vocabulary. I'm going to start to show you some  
16 | closer views and how we break these buildings down.

17 |           You can go to the next shot.

18 |           So we're getting a little bit closer. You're looking  
19 | at our IA building on the left, and you can see the footprint  
20 | of the Rowan. We just kind of removed it. And that gray area  
21 | in the foreground there, that's the footprint of that  
22 | eight-story Rowan building. And so our taller mass is adjacent  
23 | from that. You see that white facade. So in our IA building,  
24 | we're using a different kind of brick color. We're using a  
25 | lighter material, and I'm sure you have access to all of our

1 different materials.

2           And that was important to us, both the Rowan and  
3 Brookland Press are red brick buildings. This whole community  
4 and neighborhood is a real tapestry of eccentric and eclectic  
5 kind of colors, and it wants to be kind of -- carry on that  
6 kind of patterning. So this first building will be a lighter  
7 brick color. It'll have a -- some deeper metal panels that  
8 I'll show you when we get to the next shot, and some deeper  
9 colors that kind of will tie to three buildings together.

10           You can go to the next shot.

11           And this is kind of coming down Evarts, coming down  
12 from the neighborhood and seeing this building. This is IA  
13 again. You can see that kind of facade I was talking to on the  
14 left, the lighter brick building. And then you can start to  
15 see some of the other materials. Each of the three buildings  
16 at the entry will have this kind of lighter steel frame. And  
17 that's where you're seeing that lacy frame adjacent to that  
18 vertical tower. It's actually set back from Reed Street. We  
19 didn't push all of our building right to Reed. We actually  
20 wanted to layer this building. So again, strong facade on the  
21 left. We have a vertical tower there, which is actually our  
22 stair. We want the residents to come down and be able to come  
23 from any floor and pour out onto Reed Street. We want this to  
24 be a building that is kind of porous and open to the  
25 neighborhood. And you'll also see a lot of use of balconies.

1 We have full balconies. We have French balconies.

2           Again, we want the activity of this building not to  
3 be closed off, but to be a part of the neighborhood. So all of  
4 our amenity spaces are going to be visible. This courtyard and  
5 the pool is actually on grade right here, and it looks right  
6 out to the neighborhood. So you can see the impact of not  
7 having that wall, but opening it up.

8           You can go to the next shot.

9           Again, this is, you know, a little bit further down  
10 from that IA building, you're seeing the piece on the left,  
11 coming down Evarts Street, and you're starting to see IIB to  
12 the right, that red masonry building. We're going to get into  
13 that in a sec. What's important about this shot is at the end  
14 of Evarts Street, we're terminating with this amenity bridge  
15 that goes between IIA and IIB, which is a great way, you know,  
16 that's the tracks beyond. It's a great way just to terminate  
17 that view. It'll be illuminated and glowing, and it'll feel  
18 comfortable. Most of our servicing and car access, garage  
19 access happens down at the end of that street down there.

20           You can go to the next shot.

21           So this is that IIB building. You're starting to see  
22 it here. And at the ground floor of that is one of our  
23 makerspaces. Again, tall ceilings. It's designed for  
24 makerspaces. So we love how that will kind of open up and  
25 animate the street, give back to Reed Street. This is

1 something that, you know, will be of great use. And right in  
2 front of that, we had mentioned this farmer's market that we're  
3 going to introduce. Right there on Reed Street, right in front  
4 of that makerspace will be a farmer's market. So that street  
5 will be closed down temporarily when that occurs on weekends.  
6 And again, Reed Street, as I mentioned, this, you know,  
7 gathering place for the community and the neighborhood.

8           You can go to the next shot.

9           So this is a view of IIA. This is the building that  
10 is stepping down to the neighborhood. And we intentionally,  
11 because this is the closest building to the community, we have  
12 broken it up into the two smaller white masses. You can see  
13 those strong setbacks at the top, where it goes up one to one,  
14 and then goes up into those two top levels. We also, at the  
15 lower right, we have walk-up units here, where we're creating a  
16 great buffer. That's an existing alley. We're using hard  
17 pavers in there, so it'll have a really nice comfortable feel  
18 to it, slow traffic down. That'll be up against the alley to  
19 the neighbors on Evarts Street. And there's walk up spaces  
20 there. There's green space. There's doors. So it's a very  
21 kind of neighborly type condition that we have on this  
22 building.

23           You go to the next shot.

24           Just another view of that building. This is looking  
25 down that alley back towards our IIB in the distance, which is

1 | looking at our amenity space. Again, wherever we have  
2 | opportunities to show activity and life along Reed Street,  
3 | that's what we try to take advantage of. Here, we're using  
4 | that green space in this alley to create even a further buffer  
5 | from the neighbors to the left. And you can see how, because  
6 | of that one-to-one setback in this building, it's a -- it  
7 | really reads just as a four-story building with that deep  
8 | setback. So it really is effective in terms of breaking the  
9 | scale down.

10 |           So not only we will have walkups, but we'll also have  
11 | some French balconies and rich interest in the detailing of  
12 | this building. And this building will be more of a grayish,  
13 | more kind of a rich fabric and coloring of its brick, a little  
14 | bit different and some different detailing to it.

15 |           You can go to the next shot.

16 |           Again, this is from Franklin, still looking at that  
17 | IIA building, again showing how this steps down. You're  
18 | having -- to the far left, you can't see them, but that is the  
19 | townhouses from the community. You'll see this is one of the  
20 | alleys that goes into the neighborhood and will access the  
21 | parking and the service to this building. But you also see  
22 | that stepping down to the building and how we broke those two  
23 | white brick masses or really gray brick into smaller volumes.  
24 | We used the courtyard there facing the neighborhood to really  
25 | drop that scale down.

1           You can go to the next shot.

2           And this is kind of a portal coming into Reed Street  
3 from Franklin. We're really excited about this. Again, you  
4 saw that first slide I showed where it's just a maze of little  
5 alleys. This is just going to create a clear street right back  
6 to the other developments that I was talking about, the Rowan  
7 and Brookland Press. And really this is where that farmer's  
8 market will occur, the front part of this. The building on the  
9 left, that IIA building, is -- also have a makerspace right on  
10 Franklin Street, so it will be animated, and it will be full of  
11 life, that same kind of conditions of tall ceilings, flexible  
12 space for the makerspace right there.

13           And then on the left, we're using a gray palette in  
14 the IOB building. It's more of a -- and you'll see in our  
15 materials that we submitted -- a real range of a reddish kind  
16 of a yellow brick that we've picked out. And again, all of  
17 these buildings have this darker metal and darker palette that  
18 start to tie the three together, but we wanted them to be  
19 distinct and unique. At the ground floor of this building,  
20 even though it's -- the gray is starting to submerge that a  
21 little bit, we wanted to give it life.

22           So even our bike rooms for the residents, we've put  
23 some windows in. They're high windows. But we didn't want any  
24 blank facades. You can even -- see even how we stepped in this  
25 corner of this building right here, just to give a little

1 breathing room. And again, where we can have amenity space for  
2 the residents, where we can have bike rooms, where we can have  
3 the dog washing area, we're putting on Reed Street, so it'll be  
4 really activated.

5           You can go to the next shot.

6           Again, this is that IIB building. It just shows the  
7 entry, another one of these kind of lacier steel structures  
8 with balconies, places that residents can come down and out  
9 onto and look over the street. Also how our amenity spaces on  
10 the courtyards, they're raised one level from Reed, very  
11 accessible. You will kind of feel that energy. And they're on  
12 either side of that two-story amenity, right under that kind of  
13 tower structure at the center there. And that's the front  
14 door. Every front door of our residential buildings are facing  
15 onto Reed Street. All the amenities will be looking over Reed  
16 Street.

17           You can go to the next shot.

18           And this is just some quick plans that we showed, and  
19 it shows kind of the -- the pink colors are those -- you can  
20 see to the far right, that is that makerspace that faces  
21 Franklin Street. The next one, kind of in the center, right at  
22 the end of Evarts and Reed, is actually the other one that I  
23 showed that it'll be in IIB building. So a lot of this -- and  
24 that -- and a lot of that makerspace is right where these kind  
25 of nodes of energy are. And that area that is sitting in Reed

1 Street is the designated area for that farmer's market that  
2 we're proposing, and again, the courtyards, the pools, other  
3 things I referenced. On the far left of the image is actually  
4 some affordable walk-up units that are live-work units, which  
5 are a unique part of the IA project. So any opportunity we can  
6 to give life out to these streets, we're doing.

7           You can go to the next shot.

8           Again, this is just one floor up. Wanted to quickly  
9 show how those courtyards still are activating. You start to  
10 see that bridge at the end, that amenity space bridge at the  
11 end of Evarts, coming down right in the center of the project.  
12 And on the right, we even have a pool one level up from Reed  
13 Street and amenity space there that looks over the street as  
14 well.

15           You go to the next shot.

16           And this is just our typical plan, since it goes up  
17 the building.

18           You can go to the next shot.

19           Just a section cut through of one area on Reed. This  
20 changes as you move down the street. But what is consistent is  
21 there's a buffer, a four-foot buffer from the curb towards the  
22 buildings, where we have those trees planted and green space  
23 along there, and then we have a six-foot walkway on both sides.  
24 And then that kind of green space between the buildings and  
25 that walkway will change as it goes down the buildings. But

1 quite a bit of a buffer there.

2           You go to the next shot.

3           And this is just a final aerial shot that kind of  
4 talks about access points. We had mentioned that we really  
5 wanted to be careful on where we have our service, where we  
6 have our ramping down. So it kind of shows in the center of  
7 Evarts coming down, you can see all those little arrows. That  
8 is just showing where our service is located from IA to IIB  
9 right across from each other. So it doesn't have an  
10 input -- an impact on the quality of Reed Street or some of  
11 these other alleys that face the neighborhood. It also is  
12 where our cars are going in for the parking garage.

13           Likewise, on IIA in the upper right corner, you can  
14 see off of the alley we have access to our parking garage and  
15 our service off of there. So we're very careful on how we're  
16 choreographing all of that servicing and movement in and out of  
17 the building.

18           And I believe that's it. I'm going to pass this over  
19 to Erwin, who's going to take it to the next exhibit.

20           MR. ANDRES: Right. Thank you, Chris.

21           Good afternoon Chairman Hood and members of the  
22 Commission. For the record, Erwin Andres with Gorove Slade  
23 Associates.

24           Next slide.

25           Mr. Harvey went through the location of the site, and

1 | these are just aerials and site maps.

2 |           Next slide.

3 |           This slide essentially goes through the overall  
4 | project and the different ways to get into and out of the  
5 | different buildings for both pedestrians, bikes, and vehicles  
6 | as well as service vehicles.

7 |           Next slide.

8 |           As part of our coordination with DDOT, we've prepared  
9 | a comprehensive transportation review document, which has been  
10 | submitted to the record. We looked at 11 study intersections,  
11 | and we've identified impacts at three intersections which could  
12 | be mitigated with timing, signal timing improvements. In  
13 | addition to that, we are committed to implementing a robust TDM  
14 | program. And one of the significant elements that we've  
15 | incorporated as part of the project is a proposed traffic  
16 | signal at the intersection of Reed Street and Franklin Street.  
17 | Based on our analysis and our coordination with DDOT, DDOT has  
18 | concurred with our findings and has been identified in their  
19 | review letter.

20 |           Next slide.

21 |           The various elements that we -- I just wanted to  
22 | highlight is that we do meet all of the loading requirements  
23 | associated with all of the buildings. We do meet the vehicle  
24 | parking spaces requirements for all of the buildings. In  
25 | addition to that, as what was identified earlier, we did reduce

1 | our parking that's provided in the buildings in order to be  
2 | more in line with DDOT's preferred parking rates. In addition  
3 | to that, we are providing the requisite number of long-term  
4 | bike spaces, and both long-term and short-term bike spaces.

5 |           Next slide.

6 |           As part of the overall plan, we're committed to, as I  
7 | mentioned, to implement the -- a robust TDM plan. DDOT had  
8 | identified some additions and revisions that we do agree with  
9 | and have incorporated in a submittal dated July 20th, which  
10 | codifies what we've committed to. And it's our understanding  
11 | that DDOT has accepted and agreed to them. In addition to  
12 | that, we are committing to a Capital Bikeshare station, adding  
13 | bike improvements throughout the area, the proposed traffic  
14 | signal at Franklin Street and Reed Street, and a significant  
15 | traffic calming and pedestrian plan that we've incorporated in,  
16 | based on comments from the neighbors and the nearby community.

17 |           Next slide.

18 |           And consistent with DDOT's conditions and  
19 | recommendations, we agree to all of their conditions. We are  
20 | entering into a Horizontal Public Use Agreement. Ms. Shiker  
21 | had identified that at the beginning of the presentation. We  
22 | will prepare our signal warrant study associated with the  
23 | proposed signal. We will implement the final TDM program. And  
24 | as I mentioned before, that program includes DDOT's revisions  
25 | and additions that have been documented in the July 20th review

1 letter that has been submitted for the record. And then  
2 it's -- and then we do -- are planning on going to DDOT's  
3 public space approval for all of the traffic calming and  
4 traffic control elements of the plan. In addition to that, we  
5 are committed to installing a Capital Bikeshare station. So  
6 with that, I'm available for questions. Thank you.

7 MS. SHIKER: All right. Thank you.

8 And so we'll go to the next slide, please.

9 And I'll finalize our presentation with just a review  
10 of the PUD Evaluation Standards. I think the Commission is  
11 very familiar with these standards.

12 So we can go to the next slide, please.

13 We did do a very detailed analysis of the  
14 Comprehensive Plan in Exhibit 3H, which is in the record. And  
15 Office of Planning have also done an analysis, both in the  
16 setdown report and in the hearing report. We've evaluated all  
17 of these different elements of the Comprehensive Plan, so I'll  
18 just hit the highlights.

19 Next slide, please.

20 The Generalized Policy Map does identify this area as  
21 a neighborhood conservation area. That does not mean that you  
22 are not intended to have development there, but rather that you  
23 are supposed to ensure that redevelopment is compatible with  
24 the existing scale, natural features, and the character of the  
25 existing area.

1           Next slide, please.

2           As you can see, this neighborhood has a variety of  
3 contexts. It includes high-rise apartment buildings,  
4 industrial and office buildings and low-rise row homes. This  
5 way -- because of this context, we've been very careful with  
6 the design of the building to ensure that it puts the density  
7 up near the tracks and those higher rise apartment buildings,  
8 while including setbacks and lower rise portions of the  
9 building near the townhomes.

10          Next slide, please.

11          The Future Land Use Map designation is what we talked  
12 about earlier. This designation, it's important to know,  
13 what's changed as part of the most recent Comprehensive Plan  
14 cycle to include the stripe for the residential use. And this  
15 is a result of active engagement from the community for the  
16 redevelopment of this site.

17          Next slide, please.

18          The zones that we have selected are consistent with  
19 the categories identified on the Future Land Use Map. For  
20 example, for the high-density residential, you'll see that the  
21 RA-4 and the RA-5 zones are ones that the Comp Plan suggests  
22 you look at. They have maximum heights of 90 feet, permitted  
23 densities of between five and more than eight FAR. But as  
24 we've talked about before, you can't have a residential zone  
25 when you have a PDR stripe, because you would not be able to

1 fulfill the intent of that PDR use.

2           So therefore, for this case, we've picked MU-6A,  
3 which has a focus on housing and fits right within those  
4 densities. You can see that we've done that same analysis for  
5 the moderate density residential as well.

6           Next slide, please.

7           Because we have a PDR stripe, we also must look to  
8 the new guidance in the Comprehensive Plan for PDR uses. The  
9 Comprehensive Plan does specifically state that if you have a  
10 PDR stripe, you must include PDR use, and you're encouraged to  
11 substantially preserve the PDR uses that are on this site,  
12 although those PDR uses should be less intense to fit in with  
13 the context, especially when there's a residential context.

14           Next slide, please.

15           We have completed a detailed evaluation of the  
16 existing active PDR uses on this site, and they total  
17 approximately 27,500 square feet. We are substantially  
18 preserving that amount of PDR with the provision of more than  
19 22,000 square feet of PDR use. That would include in the Phase  
20 I building the three artist live-work units, and then in the  
21 Phase IIA and the Phase IIB building, the more traditional PDR  
22 makerspace. In addition, we worked with the Office of Planning  
23 to come up with a more tailored definition for our makerspace,  
24 and that is included on this slide. And that is something that  
25 Office of Planning agreed to in their hearing report as well.

1           Next slide, please.

2           As I noted, we did a detailed evaluation of  
3 consistency with the Comprehensive Plan. This is just a  
4 summary of that.

5           Next slide, please.

6           We've also done a detailed evaluation of the  
7 consistency with the Upper Northeast element. Again, here are  
8 those elements, and I just want to point out that in  
9 furtherance of this very specific Upper Northeast element, this  
10 project is increasing access to quality, affordable housing.  
11 It's replacing existing industrial uses with  
12 residentially-appropriate PDR uses, it's improving the  
13 environmental quality, it's improving public facilities and  
14 neighborhood services, and it's also significantly enhancing  
15 the transportation infrastructure.

16           Next slide, please.

17           I'll just briefly touch on the Mayor's 2019 Housing  
18 Equity Report. In the Upper Northeast element this -- in this  
19 planning area, this project represents approximately 10 percent  
20 of the overall housing goal between now -- or between 2019 and  
21 2025, and it represents more than 50 percent of the projected  
22 affordable housing shortage. So this project does go far to  
23 fulfilling those goals that were set in that housing equity  
24 report.

25           Next slide, please.

1           As the Commission knows, it's very important now  
2 under our new Comprehensive Plan to make sure that we look at  
3 the Comprehensive Plan through a racial equity lens. Equity is  
4 evaluated both as a process and as an outcome. For this case,  
5 in terms of the process, the most meaningfully-impacted  
6 neighbors have been involved in the evaluation and discussion  
7 of this project for many years. It started from before the  
8 Comprehensive Plan was changed.

9           As Mr. Gordon, testified, the project team has had at  
10 least 25 meetings with impacted neighbors and the ANC. And  
11 we've done these meetings both virtually and in person. This  
12 is in addition to the numerous calls and formal discussions and  
13 emails, all of which led to substantive changes in the project  
14 through this process. Throughout the record, you'll see in  
15 many of the letters of support that they emphasize the  
16 importance of this extensive community outreach that happened  
17 and the changes that resulted from it. In addition, the  
18 benefits and amenities were done through a process that  
19 involved the community to ensure that those amenities and  
20 benefits reflected what the community felt was needed.

21           Next slide, please.

22           In order to achieve racial equity about or -- in  
23 order to achieve racial equity as an outcome, the Zoning  
24 Commission has established a racial equity tool that they look  
25 at. The first step is to evaluate in writing

1 all -- consistency with the Comprehensive Plan using that  
2 racial equity lens, and we did submit that in writing, which is  
3 at Exhibit 3H.

4 Next slide, please.

5 The second phase is to look at the impacts and the  
6 outcomes of the Zoning Action.

7 Next slide, please. The expected goals of the Zoning  
8 Action include a residential project that could not otherwise  
9 be constructed as a matter of right, due to the fact that PDR  
10 zones prohibit residential use. Other goals include the  
11 establishment of the PDR uses, including those affordable  
12 artist live-work units, and the delivery of amenities and  
13 benefits, including the significant infrastructure project.

14 Next slide, please.

15 In order to evaluate the impact and outcome of the  
16 Zoning Action, we have completed an out -- evaluation of  
17 equitable development indicators that is in our submission but  
18 is also in this chart here. The project provides substantial  
19 new housing. The project does not displace any residential  
20 tenants. It furthers transportation goals and farmer's market  
21 for example, assists with creating a community culture. With  
22 the transportation, we're creating sidewalks that allow people  
23 to commute more safely to both the schools and the Metros.

24 Next slide, please.

25 There is some limited displacement of PDR and office

1 uses, and so we wanted to make sure that we pointed those out.  
2 As you can see that there are six current tenants on this site.  
3 The Old Town Trolley and the Eagle Mat tenants actually sold  
4 their properties to be part of the development site and have  
5 already established their relocation plans to other locations.  
6 There is one auto tenant that has, unfortunately, not paid rent  
7 for several years, and the landlord is in eviction, a formal  
8 eviction proceedings with them. But there are three other  
9 tenants that are existing there. There's a CO2 extraction  
10 company. There is an office use for Pathways to Housing, and  
11 then there is a separate auto tenant.

12           Because these place -- these tenants will need to  
13 relocate, the landlord has offered them assistance in trying to  
14 find additional locations, and in fact, has offered a credit of  
15 rent during a moving period, if applicable, to assist with that  
16 relocation. These uses are not appropriate to be put back into  
17 the PDR makerspace. Given their impacts, they're not the less  
18 intense PDR spaces, so therefore, that is why the relocation  
19 assistance has been offered.

20           Next slide, please.

21           This slide just continues with the evaluation of an  
22 equitable development indicators. And it shows that the  
23 project also advances racial equity through the areas of  
24 employment, education, environmental, and access to amenities.  
25 Overall, when viewed through the racial equity lens, the

1 | limited displacement that we just talked about is substantially  
2 | outweighed by the numerous ways the project affirmatively  
3 | advances racial equity in all of these other categories.

4 |           Next slide, please.

5 |           Finally, under the Comprehensive Plan analysis, we're  
6 | required to look at potential inconsistencies. And we have  
7 | identified that our project is inconsistent with redeveloping  
8 | obsolete industrial uses with more in -- with higher value PDR  
9 | uses. We believe that this is outweighed, as does the Office  
10 | of Planning, by the many numerous other policies that we  
11 | fulfill, especially given the call for housing and affordable  
12 | housing, which couldn't be put on -- in place, if we did higher  
13 | value PDR uses.

14 |           Next slide, please.

15 |           I'll just summarize the other compliance with the PUD  
16 | standards.

17 |           Next slide, please.

18 |           The first, we have development incentives and  
19 | technical zoning flexibility.

20 |           Next slide, please.

21 |           On the development incentives, the map amendment is  
22 | looked at as development incentives. But as we've talked  
23 | about, there -- these zones are consistent with the Future Land  
24 | Use Map designations. And you'll see from the PDR-2 to the  
25 | MU-4, there is little to no gain. And while there is some gain

1 in the PDR-2 to the MU-6A, that gain is very consistent with  
2 the Future Land Use Map, the stated densities for that  
3 category.

4 Next slide, please.

5 We have a couple of areas of technical zoning  
6 flexibility. So the first is for side yard relief. As you can  
7 see in the bottom image, we've circled two very small red  
8 areas, where the side yard doesn't meet the requirement because  
9 of the jog of the property line, so we need technical  
10 flexibility for that. All the areas in yellow, however, do  
11 comply. We also have set the buildings back from Reed Street  
12 varying degrees, from 8 inches to over 8 feet, in order to  
13 provide greater areas for planting, pedestrian circulation, for  
14 building entries. But because those are the side of the  
15 building, they are technically side yards. So even though they  
16 are just great -- granting more of, like, public space,  
17 essentially, we do need technical flexibility for that.

18 Secondly, we have requested technical flexibility for  
19 the rear yard of the Phase IIA building. So on the top right,  
20 you can see that's the Phase IIA building. It fronts on  
21 Franklin Street. So the rear yard is on the south, which again  
22 is plan left. When we originally designed the building, it did  
23 have a 15-foot rear yard. In talking with the neighbors,  
24 however, there was a desire to ensure both the east and the  
25 south alleys had sufficient distance. So if we were to flip

1 | those, the 11 feet and the 15 feet, we were able to achieve a  
2 | pretty much standard 31-foot setback from the rear lot lines of  
3 | the row homes, and so, therefore, we agreed to do that.

4 |           As a result, we need very limited rear yard  
5 | flexibility. You see in that bottom right hand corner; you see  
6 | the little red line. So basically the rear yard meets it for  
7 | the first 20 feet, we have 20 feet where it doesn't, but then  
8 | because the building sets back so far, we meet it there. So  
9 | again, this was something that came out from our discussions  
10 | with the community. And similarly, we also on Phase IIA meet  
11 | lot occupancy relief. When the building was designed, it was  
12 | at 75 percent, and we were originally going to grant DDOT an  
13 | easement for the 10-foot sidewalk. DDOT asked that we grant  
14 | that as a fee dedication, which then took it out of our lot  
15 | area, reducing that lot area by about 1,900 square feet, then  
16 | subsequently just increased our lot occupancy a bit. So again,  
17 | that is again, just as part of the processes evolved.

18 |           And then finally, not on the slide, because it came  
19 | just kind of at the last minute, we've been working with the  
20 | Office of Planning on our affordable housing proffer. And as  
21 | you know, we have offered affordable housing at 30, 60, 50 and  
22 | 80 percent. There is a new provision in the Zoning Regulations  
23 | in Subtitle C, Section 1001.9 that says, "IZ square footage  
24 | that's required by an order of the Zoning Commission that  
25 | exceeds the IZ requirement, must comply with the provisions of

1 the IZ chapter, unless otherwise specified in the order."

2           This provision was adopted to make or to allow DHCD  
3 to more easily implement what they were referring to as beyond  
4 IZ affordable housing. People were proffering at all different  
5 kinds of levels, and DHCD said, we can't, you know, we can't  
6 implement this. So what DHCD said, and the testimony from that  
7 hearing is, is that it needs to be something that DHCD offers.  
8 And so we believe that 80 percent is something DHCD offers, and  
9 they've told us they don't have a problem implementing it. So  
10 we didn't think we needed to ask for any flexibility to allow  
11 some of our units that are outside of our IZ requirement at the  
12 80 percent, to get that nice balance of different types of  
13 units. But OP has asked us to request that, and so we are then  
14 adding that to our request for flexibility.

15           Next slide, please.

16           This is just -- the next couple of slides are just a  
17 summary of our benefits and amenities. We can answer questions  
18 about those.

19           Next slide, please.

20           Next slide, please.

21           We've also evaluated the potential impacts of the  
22 project, and we have concluded that the impacts are almost  
23 across the board favorable. But to the extent that they are  
24 not favorable, they are capable of being mitigated especially  
25 through, for example, the Transportation Demand Management

1 measures and the traffic calming that we've done.

2 Next slide, please.

3 Next slide, please.

4 Next slide, please.

5 One last slide, please. Sorry. No need to go  
6 through all those.

7 So when you look at the balancing test, we believe  
8 that the benefits and the amenities of this project far  
9 outweigh the requested development incentives, which are very  
10 limited, the small areas of technical zoning flexibility, and  
11 the potential adverse impacts.

12 Next slide, please.

13 This slide just shows the consistency with the Zoning  
14 Act. And you can see that we are consistent with the purposes  
15 of the Zoning Act.

16 Next slide, please.

17 Overall, we believe that the project meets the  
18 standard for a planned unit development. And with that, we  
19 will conclude our direct presentation and ask -- or turn it  
20 over to the Commission for any questions.

21 If you go to the next slide.

22 We have a -- one of the bird's-eye views that you  
23 could have up, if the Commission wanted to use that. Thank you  
24 so much.

25 CHAIRPERSON HOOD: Thank you, Ms. Shiker and team.

1 I think we'll take that down for the time being. It  
2 may go right back up. But let's see where our questions go.

3 We have a lot of moving parts here. A lot of  
4 exhaustive work has been put in, and I'm sure we have -- I  
5 wrote down a few questions that I may have.

6 But let's see. I'm not going to start off first  
7 today. So I'm going to go to my colleagues, and I usually  
8 start with Commissioner May.

9 COMMISSIONER MAY: Why, thank you. What a surprise.

10 So that was a very thorough presentation. And I'm  
11 very impressed with how quickly Ms. Shiker can recite  
12 such -- so much technical information with such accuracy.

13 So good job. I think you win the prize for the best  
14 part of the presentation. That was impressive.

15 But it's a (indiscernible) -- no, not really a  
16 (indiscernible).

17 I only have a few comments. The I appreciate the  
18 fact that you addressed my questions from set down about  
19 building height measuring point. And I also appreciate the  
20 fact that the Applicant has really gone to great lengths to  
21 gain the support of the nearby neighbors. I think from the  
22 very beginning of this project, I was concerned that the  
23 neighbors in the row houses nearby would have concerns over a  
24 very large building coming up right next to them in this  
25 project. But as far as I could see, I didn't see anybody who

1 | was -- who had major concerns about it, and the people who are  
2 | most likely to be affected, for the most part, were very  
3 | supportive of the project. So I think that's a testament to, I  
4 | think a very constructive effort to reach out to those people  
5 | who are most affected by the project.

6 |           There is one aspect of that that I find really  
7 | puzzling, which is that, you know, there's no opposition to  
8 | speak of, and there was plenty of lead time. You know, you  
9 | were working with the neighbors for a long time, and yet there  
10 | was no vote from the ANC? Can you explain how that came to  
11 | pass?

12 |           MR. GORDON: We worked extensively with the ANC  
13 | particularly at the beginning of the project. We presented to  
14 | the ANC, and then we worked essentially on an ongoing basis  
15 | with Commissioner Amin throughout the project. We -- after  
16 | initially presenting to the ANC, we went to the BNCA, worked  
17 | through BNCA process, and then as we got into this year, came  
18 | back to the ANC for a vote. And while I think it's fair to say  
19 | that I mean, certainly three members of the ANC are supportive.  
20 | Commissioner Amin ended up recusing himself, and that led to a  
21 | two-two vote on the PUD at the end of the process.

22 |           Commissioner Amin was their SMD. He's written  
23 | separately with his thoughts on the project. And the ANC voted  
24 | unanimously to support the realignment of Reed Street and the  
25 | associated legal process. So I think Commissioner Amin may be

1 | in the best position to comment on the whys. But I think it's  
2 | fair to say there is widespread community support for the  
3 | project, and we put a lot of effort into getting to an ANC  
4 | vote. And I think three of the commissioners generally support  
5 | the PUD.

6 |           COMMISSIONER MAY: Okay. So there were two ANC  
7 | commissioners who were opposed, right?

8 |           MR. GORDON: That's correct, yes. Yes.

9 |           COMMISSIONER MAY: Can you explain what their  
10 | concerns were or what you understood their concerns to be?

11 |           MR. GORDON: Yes, I can. So in short, the -- I think  
12 | to the degree they weren't supportive at the end of the  
13 | process, my understanding was that they wished that the  
14 | community benefits package had been negotiated by the group as  
15 | a whole. And they would have preferred that Commissioner Amin  
16 | include the ANC in that process, potentially in a slightly more  
17 | robust fashion. And I think, ultimately, three commissioners  
18 | decided to support it, but two of them felt that they wished  
19 | they had been included more so during the process. I think  
20 | also, there's one particular organization that they thought  
21 | potentially shouldn't have been included, and as a result of  
22 | that, Commissioner Amin ended up recusing himself, because he  
23 | was on the board of that organization.

24 |           COMMISSIONER MAY: Okay. All right. It's an  
25 | interesting situation. Okay.

1           So I have some questions about the building.  
2 The -- what is -- what type of construction is this? Is this  
3 stick built on a podium?

4           MR. HARVEY: Yeah. So it's a -- it's a 3A. So it is  
5 all podium, different levels, because we're putting most of the  
6 parking in the podium. And then it'll be wood frame, five  
7 levels over whether it's two or three stories of concrete.

8           COMMISSIONER MAY: Got it. Okay. And then -- I  
9 mean -- I would just note, there are -- you include some  
10 features on that that are of interest. You have these  
11 projecting balconies, which very often we get resistance from  
12 applicants. Sorry.

13           Yeah, hold on a second. I'm sorry, I can't talk,  
14 back, right now. I'll have to call you back. I tried to hit  
15 this. Sorry about that. Can you hear me now?

16           MR. GORDON: Yeah, we hear you.

17           CHAIRPERSON HOOD: Oh, I thought you was talking to  
18 us. I was like --

19           COMMISSIONER MAY: All right. And so the -- it's  
20 marvel of technology. They converted my desk phone into  
21 ringing through my computer using Team's application, and so  
22 every once in a while somebody, like, calls me and what to do,  
23 because I'm in the middle of a meeting. Clearly, I pushed the  
24 wrong button and wound up picking up the phone instead of  
25 hanging up. I -- whatever. I apologize for that, but that was

1 a strange moment.

2           So the -- what was I saying? Oh, yeah. Okay. So  
3 the balconies -- projecting balconies, so they look to be sort  
4 of a metal framework, right?

5           MR. HARVEY: Yes.

6           COMMISSIONER MAY: That's just basically built into  
7 the wood framing and cantilevered out. Is that --

8           MR. HARVEY: Yeah, it's a detail. We do that  
9 sometimes. We also sometimes can apply -- they have canopy, or  
10 they have these balconies that can actually be bolted right  
11 onto the facade as well.

12          COMMISSIONER MAY: Right.

13          MR. HARVEY: That can be constructed that way. So I  
14 think it's a detail we're looking at. We have a lot of  
15 balconies in our courtyards, some are out on the edges of the  
16 building. So we'll be looking at, you know, which one would be  
17 most appropriate as we develop it a little bit more.

18          COMMISSIONER MAY: Okay. So when it bolts on, does  
19 it have to have sort of a hanger on it to be able --

20          MR. HARVEY: Yeah. So when we're designing it, we  
21 work with structural to make sure that there's bracing, just  
22 like you would put a piece of art up in your house, that  
23 wall -- what's behind that brick facade will have to have extra  
24 structure in it, and then they will bolt it right into that  
25 structure. So it's very -- it's more of an engineering thing.

1 | It's not just randomly stuck on the building. It has to all be  
2 | coordinated with the structure of the building.

3 |           COMMISSIONER MAY: Okay. I do understand that. But  
4 | the question I have is it's not cantilevered, does that mean  
5 | that there's going to have to be some sort of diagonal bracing  
6 | that we are not seeing in the drawings right now?

7 |           MR. HARVEY: No, not always, because it almost acts  
8 | as a frame or a cage, so that the railing and the structure of  
9 | where you're standing on is almost like an agent itself that  
10 | can be applied, you know, to the building.

11 |           COMMISSIONER MAY: Okay. All right. So the rail  
12 | has -- gives you the diagonal reinforcements.

13 |           MR. HARVEY: Yep.

14 |           COMMISSIONER MAY: All right. Well, anyway, I  
15 | appreciate your doing that, because we don't -- you know, a lot  
16 | of times we -- when we look for more balconies on construction  
17 | of this type, the feedback we get from the architects and  
18 | engineers is that it's not easy to do. It's a construction  
19 | challenge for them. And I've never really been totally  
20 | convinced of that. So I'm glad to see this this way.

21 |           MR. HARVEY: Sure.

22 |           COMMISSIONER MAY: The -- I do say -- I would say  
23 | that, that -- there's -- I don't want to get into any of the  
24 | sort of the particulars about what you should or shouldn't do  
25 | with a design, but I feel like there's a lot of -- there's a

1 bit more complexity to it than there needs to be. Like there's  
2 a layer of -- it's like, you turned it up one notch too many,  
3 right? You know, to use the -- what was the movie where it's  
4 like, the volume knob doesn't go to 10, you turn it up to an  
5 11, right?

6 MR. HARVEY: Sure.

7 COMMISSIONER MAY: And it's louder, because it goes  
8 to 11? No, it's -- it might have been better, just, you know,  
9 turning it down one notch. I don't have any specific direction  
10 on that. I just feel like there's just a little bit too much  
11 going on, too many different facade materials, too many  
12 different ways of making the openings, and I -- and a little  
13 bit of simplification --

14 MR. GORDON: Sure.

15 COMMISSIONER MAY: -- would be beneficial. So the  
16 light-colored brick is a concern. I think, you know, when you  
17 use it for small areas, like the accents around the entryways,  
18 I don't have a problem with that, because I think that's going  
19 to be easier to maintain and keep clean. But large expanses of  
20 white brick are a challenge to keep clean. And I assume that  
21 you have experience in doing this, and you know how to detail  
22 it well. But it is a caution. And there are a number of, you  
23 know, light-colored buildings -- this is a recurring theme for  
24 us -- light-colored buildings that do not wear well. They look  
25 dirty.

1 MR. HARVEY: True.

2 COMMISSIONER MAY: And so -- anyway. Let's see.

3 Let's talk about the roof for a second. So it's a relatively  
4 small strip of green roof and then a large, enclosed area for  
5 mechanical. Is that -- first of all, what's the height of that  
6 mechanical enclosure?

7 MR. HARVEY: I think it's eight feet, sir.

8 COMMISSIONER MAY: Okay. And so what's inside of  
9 that? Is it just a condenser farm?

10 MR. HARVEY: Yeah, it's a farm of condensers that run  
11 along basically the corridors --

12 COMMISSIONER MAY: Yeah.

13 MR. HARVEY: -- where you have the structure for  
14 that. So we'll just have a, you know, there's going to be a  
15 number of them. It's a number of units that'll be up there.  
16 And then that's why you're seeing that kind of zone for all of  
17 those mechanical units. And then you're seeing the kind of the  
18 green that kind of slides off from that --

19 COMMISSIONER MAY: Right.

20 MR. HARVEY: -- to the perimeter.

21 COMMISSIONER MAY: Right. So -- well, so then it  
22 raises the question -- I mean, condensers tend to be very low,  
23 so why do you need an eight-foot enclosure?

24 MR. HARVEY: Yeah, I think it was just, you know,  
25 concerns about, you know, visuals from other buildings. You

1 know, the other buildings that I was mentioning, the Rowan, is  
2 a little bit taller than our building.

3 COMMISSIONER MAY: Yeah.

4 MR. HARVEY: It's an eight-story building. So, you  
5 know, I don't know if there's flexibility in that, if it could,  
6 you know, be down a little bit, but I need to look at that.

7 COMMISSIONER MAY: Yeah, I mean, you know, it's not  
8 uncommon, since --

9 MR. HARVEY: Yeah.

10 COMMISSIONER MAY: -- condensers tend to be less than  
11 four feet, it's not uncommon for them to have no enclosure.

12 MR. HARVEY: Yeah.

13 COMMISSIONER MAY: So I appreciate having some level  
14 of enclosure. I'm not sure that you get that much benefit from  
15 going from four feet to eight feet.

16 MR. HARVEY: Yeah, I think we can go either way.  
17 Yeah, when we build these models, you know, we can -- they're  
18 so detailed, we can look at it from every direction, and we  
19 would be completely open to dropping that. I'm sure that it  
20 will change as well a little bit.

21 COMMISSIONER MAY: Right. Yeah. I just  
22 don't -- the -- I don't want to create unnecessary height if  
23 it's not needed --

24 MR. HARVEY: Yeah.

25 COMMISSIONER MAY: -- for true visual purposes from

1 | where --

2 |           MR. HARVEY: Right, and so --

3 |           COMMISSIONER MAY: -- most people can see it, right.  
4 | Now, that being said, you know, is there an opportunity to  
5 | stack the condensers or something like that, which would allow  
6 | you greater space for solar or more green roof? Because I've  
7 | seen that --

8 |           MR. HARVEY: That -- the -- it is -- we've never done  
9 | that with these wood frame buildings where we stack it. There  
10 | is some, you know --

11 |           COMMISSIONER MAY: Yeah.

12 |           MR. HARVEY: -- tricky -- wood frame is very  
13 | different than concrete, as you know.

14 |           COMMISSIONER MAY: Right.

15 |           MR. HARVEY: So we are spreading that load out and --  
16 | you know, so we try to do that when they're not stacked. You  
17 | know, you could probably lower that screen. Absolutely. And  
18 | as I mentioned, we'd still have 30,000 square feet of  
19 | vegetative roof, currently.

20 |           COMMISSIONER MAY: Yeah.

21 |           MR. HARVEY: So there's a lot going on up on that  
22 | roof right now, as well as some solar panels.

23 |           COMMISSIONER MAY: Sure. Yeah, I just -- it's the  
24 | proportion of solar and green compared to the rest of it --

25 |           MR. HARVEY: Yeah.

1           COMMISSIONER MAY:  -- that's a little bit -- it's  
2 different from most projects that we see where there's, I  
3 think, a greater area of green roof.  And we've even seen  
4 condenser farms with vegetation all around them as well.  So  
5 anyway, it's something to look at.

6           MR. HARVEY:  Yeah.

7           COMMISSIONER MAY:  Last thing is the signage package  
8 that we received most recently, I guess, it was 52A, that is  
9 the most current proposal, right?  Because it seems to be much  
10 more specific and somewhat reduced from what was in the latest  
11 architectural package.  Did I get that right?

12          MS. SHIKER:  That is correct, Commissioner.  We were  
13 asked by Office of Planning to be a bit more specific.  Our  
14 original signage plan that was kind of at the very end of our  
15 last set of plans, was more -- these are locations where we may  
16 have signage, and these are the --

17          COMMISSIONER MAY:  Right.

18          MS. SHIKER:  -- sizes that would be permitted.  OP  
19 asked us to put a little bit more pen and paper on that.  So  
20 that is what we submitted.  This is what our proposed signage  
21 package is, and that would supplement what we had previously  
22 filed.

23          COMMISSIONER MAY:  Okay.  Well, that was a relief,  
24 because I didn't -- I saw the original architectural submission  
25 in that part at the very end, and then the -- it seemed

1 problematic, and so I was glad to get the more refined version  
2 of it.

3 MR. HARVEY: Yeah, we pulled it in.

4 COMMISSIONER MAY: Yeah. All right. I think that's  
5 it for my questions. Thank you very much.

6 MR. HARVEY: Thank you.

7 CHAIRPERSON HOOD: Thank you.

8 Commissioner Imamura?

9 COMMISSIONER IMAMURA: Thank you, Mr. Chairman.

10 I'm going to build off of Commissioner May's  
11 comments, starting with signage. So glad to see that you all  
12 had dialed that back a bit. It seemed at least in some of the  
13 renderings, it showed signage was almost in every image there,  
14 so glad to see the signage package there with a little more  
15 judicious and strategic locations for that.

16 You know, this is a laudable project. It has good  
17 vision. Benefit to the community, the City.

18 I'm glad, Ms. Shiker, you had mentioned, you know,  
19 that it's really achieving some of the City's housing goals.  
20 So I think that's pretty wonderful.

21 And overall, I'm very pleased with it -- with the  
22 project, a lot of effort behind this. I did not find the  
23 architecture incredibly offensive in any way, so that is a  
24 compliment to the design of it. Certainly can appreciate  
25 Commissioner May's comments about simplifying some of the

1 detailing, the elevations and detailing. But overall though, I  
2 thought it was pretty good.

3 I want to acknowledge the balconies. I think I  
4 counted somewhere about 338, to include the Juliet balconies,  
5 so almost a little under half of all the units, so that's kind  
6 of nice. Where I feel -- where I was underwhelmed was by the  
7 pedestrian amenities. So clearly, the footprint -- you all had  
8 maximized the footprint.

9 And so I think, you know, Mr. Harvey, you had  
10 described in a very eloquent way the makerspace as nodes,  
11 portals into the property here, into the PUD. But all I saw  
12 really, in terms of the landscape, was just sort of strips of  
13 sidewalk and some tree plantings. And so I don't feel as if  
14 maybe Mr. Wilke, you had an opportunity to actually really  
15 enhance sort of the public's space, right, as you had  
16 described. So the renderings did show --

17 CHAIRPERSON HOOD: Commissioner Imamura, let me stop  
18 for a second. I don't know if anybody else is getting any  
19 feedback, but I am. And I'm almost scared -- and I probably  
20 shouldn't pick on Holland & Knight as much as I'm doing,  
21 because Commissioner May made it so I can't pick on them that  
22 much.

23 But I would ask Holland & Knight, Ms. Shiker, if you  
24 all would mute -- now I don't what you all to mute and can't  
25 unmute. But I think that's where the feedback is coming from.

1 | If that's not -- if that's going to be a problem, we need to  
2 | figure something else out.

3 |           But if you all can mute, while Commissioner Imamura  
4 | -- you're going to have to mute and unmute. That usually takes  
5 | away that noise. Okay.

6 |           Sorry, Commissioner Imamura.

7 |           COMMISSIONER IMAMURA: Thank you, Mr. Chairman. I  
8 | did hear that feedback, so I was just trying to be like  
9 | Ms. Shiker and just sort of roll through, but --

10 |           So anyway, I think the way that you all have laid  
11 | this out creates this really hard-edged condition. And so what  
12 | was kind of disappointing is that Hanover is contributing funds  
13 | for the farmer's market and the Noyes Park, but there is no  
14 | place to sit, there's no gathering space, just no location to  
15 | socialize. And the one thing that I -- that sort of struck me  
16 | was, if you're funding improvements for Noyes Park, the  
17 | northeast corner in Phase II ought to be sort of that portal or  
18 | node to enhance sort of what I would say would be, you know,  
19 | green space connectivity, right, and linking the park all the  
20 | way back through into where these nodes, the makerspace, the  
21 | farmer's market.

22 |           So certainly a lot of effort was made for sort of an  
23 | internal look and improving your amenities and public space,  
24 | your public private space there. But in terms of your  
25 | streetscape, I think that's where I was really underwhelmed,

1 and I feel like maybe the project is falling short there. Sort  
2 of a missed opportunity, if you will. And I think it would be  
3 really great and a benefit to the neighborhood and to the  
4 tenants there, if you could apply a little more rigor, a little  
5 more creativity, maybe dial it up, maybe it's not even dialed  
6 to 11 here so. We barely hit two. So maybe we can turn that  
7 up a bit and improve -- apply that same sort of design,  
8 creativity that you did to the building to the landscape and  
9 the public space and create some pockets, I think, would be a  
10 really nice enhancement to this project.

11 So with that, I think those are all my comments,  
12 Mr. Chairman, and I yield back.

13 CHAIRPERSON HOOD: I'm going to go to Vice Chair  
14 Miller.

15 Vice Chair Miller? I'm -- I shouldn't say this  
16 publicly, but I am everybody. Everybody I've been running into  
17 the last couple of days, all say that they've had lunch with  
18 you, and I'm trying to think of when you took me or the  
19 Commission to lunch. But anyway, go ahead, Vice Chair Miller.

20 VICE CHAIR MILLER: That's interesting. We'll have  
21 lunch offline or something.

22 So thank you for the -- thank you to the Applicant's  
23 team for your presentation today and for bringing this project  
24 -- for all your work on this project, your community engagement  
25 with ANC 5B and the Brookland Neighborhood Civic Association

1 and others in the community. It's a testament that we don't  
2 see any formal opposition in the record. There may be somebody  
3 here who may be testifying. We'll look forward to that, if we  
4 -- if that's the case.

5 I would agree with -- so the -- the range of  
6 affordable housing is very commendable. The -- it's a big  
7 project, but I think you've broken it up in ways and with  
8 setbacks and step-downs that have made it not seem as big as it  
9 is, so that's great. But I think I do agree with the couple of  
10 -- just a couple of the criticisms that my fellow  
11 Commissioners, May and Imamura, had made; Commissioner May  
12 regarding the lighter color. I found -- and in addition to the  
13 maintenance issue that he raised, in terms of keeping it  
14 looking as bright and white forever, as it does at the  
15 beginning, that that's difficult. But you probably do have  
16 experience in doing this and other projects, so by -- so I  
17 would be interested in hearing your comment on that.

18 But I also found it -- I found it a little bit  
19 jarring, just the black and the white right by each other.  
20 I -- it kind of screamed out at me. But I don't really have a  
21 criticism of it. I think the design is very attractive. But I  
22 do agree with Commissioner Imamura's comments also about the  
23 pedestrian and landscape improvements that could be made that  
24 would be a benefit to the tenants and the surrounding  
25 community.

1           And the LEED Gold and the solar are certainly  
2 commendable environmental aspects of the project. The efforts  
3 that you've made to relocate existing PDR uses that are being  
4 displaced. You said Old Town Trolley. Storage and maintenance  
5 is located there. And they sold their property to you all, I  
6 guess, just to be part of this development and have already  
7 relocated elsewhere. I think that's what you said. Where did  
8 they relocate to? Are they still in the District?

9           MS. SHIKER: Commissioner, they have not relocated  
10 yet, but they have -- they do have concrete plans to relocate  
11 to Prince George's County for this vehicle -- and -- vehicle  
12 storage and maintenance. So it will not be in the District.  
13 They -- that's what we have been told by the landlord that they  
14 will be relocating. They're a Florida-based company, and  
15 they're going to be relocating out to P.G. County.

16           VICE CHAIR MILLER: Yeah, that county seems to have  
17 become our PDR and public facility location, which is -- well,  
18 we have a limited land space, and it is adjacent to us. But we  
19 do have all these policies to encourage their maintenance in  
20 the District and studies to try to incentivize them and find  
21 the space for them so they don't have to travel as far as to  
22 serve the population that they're serving, which is generally  
23 in the District. So that's not surprising. But it's just an  
24 ongoing concern that I think all of us have. But I'm glad  
25 they've identified as a place nearby to be relocated.

1           The affordable housing you said it's 15 percent of  
2 the total is at affordable levels between 30, 60, and then you  
3 got the extra IZ at the 80 percent MFI level. I think it's  
4 10 percent of the total affordable housing, I think. Correct  
5 me if -- or maybe you could just clarify how much of it -- how  
6 many units is at the 80 percent level, I think, and what the  
7 percentage is actually of units that comply with our MFI  
8 requirements. If we took that out, would it be 13 percent or  
9 something like that? If you could just clarify that. And also  
10 clarify -- yeah, I think you said that that was one of the  
11 things that the community had asked for, that there be  
12 additional affordable housing. I don't know if they asked for  
13 it to be at the 80 percent level, but maybe you can just  
14 clarify that. It's good that it's -- that you're doing the  
15 level that you're doing that's beyond the minimum, but it's  
16 also above the MFI level for that extra amount, which would  
17 normally be at 60 percent MFI to comply.

18           MS. SHIKER: Sure.

19           VICE CHAIR MILLER: So maybe you could just clarify  
20 that.

21           MS. SHIKER: Absolutely. So initially, the proffer  
22 was 15 percent of the residential GFA at 60 percent MFI, but in  
23 our discussions with the community, they wanted to see more  
24 affordability, so some at the 30 and some at the 60. And in  
25 order to balance that out, we offered some of at the

1 80 percent. So of the affordable housing that is offered, we  
2 have five percent at 30 percent MFI, we have five percent at 50  
3 percent MFI, we have 10 percent at 80 percent MFI, and we have  
4 the remaining 80 percent at 60 percent MFI. So we are  
5 providing well over a base IZ requirement at 60 percent, and  
6 basically the additional units are being provided at 30, 50, or  
7 at 80 percent. We have no 50 percent requirement on the site,  
8 since we don't have any penthouse habitable space.

9           That being said, if you look at the net residential  
10 calculations that are in our plans, the amount of affordable  
11 housing is about 7,900 square feet. That's at that 80 percent  
12 MFI, and it equates to approximately nine of the more than a  
13 hundred units. And then, in addition, please note that that  
14 15 percent is separate and apart from the more than  
15 3,000 square feet of affordable live-work units, which are on  
16 top of that. So we took 15 percent of the residential GFA, and  
17 that's IZ, and then we added three -- more than 3,000 square  
18 feet for these affordable live-work units that are going to be  
19 offered at 60 percent MFI.

20           VICE CHAIR MILLER: And that's --

21           MS. SHIKER: We also -- if I could just add, we did  
22 also increase our commitment up for the number of three-bedroom  
23 units, since you last saw this project. We were originally  
24 offering one in each phase. We are now offering two in each  
25 phase for a total of four three-bedroom units.

1           VICE CHAIR MILLER:  And that's very commendable, the  
2 three-bedroom units that you're offering that are affordable  
3 and at market rate, and the live-work units as well.  There are  
4 -- you have three live-work units is what you said?  Yeah.  And  
5 that's --

6           MS. SHIKER:  That's correct, yes.

7           VICE CHAIR MILLER:  Well, that's -- and I -- I'm now  
8 hearing feedback again, so it's probably a muting situation.  
9 But the -- I appreciate what you tried to do, in terms of  
10 responding to the community that wanted the 30 percent, the  
11 lower -- the deeper affordability level.  And you did -- you  
12 provided that, but you wanted to then offset it with some  
13 higher 80 percent MFI.  But the bulk of it is affordable at the  
14 -- and beyond the minimum of what our affordable housing  
15 Inclusionary Zoning would require, so I appreciate that.

16           And I appreciate that you're willing to -- that you  
17 responded to Office of Planning's comment that you would  
18 provide -- that you request the flexibility for the waiver to  
19 acknowledge that that -- that situation there.  So thank you  
20 very much.  I don't think I have any further questions.  And if  
21 you have any further comments you want to make in reaction to  
22 anything I or my fellow colleagues said, feel free to do so, or  
23 else I'll turn it back to Chairman Hood.

24           CHAIRPERSON HOOD:  Thank you, Vice Chair Miller.

25           I will tell you that Old Town Trolley, their

1 relocation was here in the City at first. It was around the  
2 corner from my house. They had a lot of support, but they  
3 chose to -- they got a better deal, and they moved. So I want  
4 you to know that there was an opportunity for them here to  
5 remain. I think they had a lot of -- a groundswell of support  
6 in this area.

7 I do have a few questions, Ms. Shiker and whoever,  
8 anybody on the panel. But what's being proposed here? And I  
9 realize the groundswell of support here, but do we have the  
10 demand? And when I -- when I'm asking that question, because  
11 we have MRP, which is on -- down there by Rhode Island, and we  
12 have Rhode Island Avenue Row, we have Brookland Press, we have  
13 what we did in Brookland some years ago, right off of  
14 12 Street. Does your research show that there's demand? And I  
15 know we got some affordable components, and I've heard that  
16 discussion between the Vice Chair.

17 All this is a question. It's a long-winded question.  
18 I've heard the discussion between the Vice Chair and the  
19 Applicant or Ms. Shiker, your team. What I'm starting to get  
20 in the community -- I'm always pushing for deeper levels of  
21 affordability. But I'm starting to hear, hey, wait a minute,  
22 we don't want all that. We want some -- somebody told me  
23 yesterday they wanted 100 -- 150 percent of the AMI. And I'm  
24 like, where's all this coming from? So is there demand for  
25 this?

1 MR. GORDON: Chairman Hood, just to make sure I  
2 understand the question, is there demand at the IZ  
3 affordability levels, or is there demand for the market rate  
4 units?

5 CHAIRPERSON HOOD: Well, I know there's demand for  
6 the affordability level. That's a whole other topic, because I  
7 don't think we get to where I think we need to be. But I am  
8 now standing to be corrected, because people want to see a  
9 variety across the board from what I'm starting to be -- what's  
10 starting to actually come to me in different settings. But is  
11 there a demand for the -- let's just do the market. I know  
12 it's affordable. Let's just -- is there a demand for this?

13 MR. GORDON: Yes. We are currently leasing our  
14 project on 8th Street. You know, as the crow flies, it's  
15 essentially -- our 8th Street Northeast project is about four  
16 blocks away. It's leasing up at a healthy clip right now. The  
17 Monroe Street Market expansion leased up at a healthy clip, the  
18 MRP buildings are essentially fully-leased, and the Rowan is  
19 leasing up at a healthy clip.

20 There is, as you so noted, a plan. Obviously, MRP is  
21 going to be putting more units online, but the pace at which  
22 they're doing that and the phasing of our project will far from  
23 saturate the market. I think there's definitely demand for it.  
24 And you've seen that same demand in NoMa. You've seen that  
25 same demand in Union Market. Northeast D.C., your Red Line

1 accessible housing is in demand, and we think will very much  
2 continue to be in demand. And I think we're very far from  
3 saturating that demand.

4 CHAIRPERSON HOOD: Okay. Thank you for putting that  
5 on the record. Let me get the status. And I grew up on the  
6 Red Line, so I, you know, I appreciate the -- your comments.  
7 And I'm hoping -- I just don't want us to have any empty units.  
8 I know one time Brookland Press was having a problem staffing  
9 up. I'm not sure where they are now. It's been a while since  
10 I did my individual check. But I -- think may have been  
11 staffing up now. I mean, getting residents in.

12 Let me ask you. What was the status? And I'm not  
13 sure who mentioned this, of Zoning Commission Case No. 18-21.  
14 What's the status on it?

15 MS. SHIKER: That is the 8th Street project that  
16 Hanover developed that Mr. Gordon just mentioned. It's 3201  
17 and 3199 8th Street, and it was approved as a PUD. It's, you  
18 know, a great project, just south of the Brookland Metro.

19 CHAIRPERSON HOOD: So what year would that have been?

20 MS. SHIKER: It's the one you were saying is leasing  
21 right now.

22 CHAIRPERSON HOOD: Okay. What year was that? Do you  
23 remember -- recall?

24 MS. SHIKER: 2018? It was -- it's -- it was case  
25 18-21, so we filed in 2018, and we probably -- I think we got

1 approved towards the end of 2018, yes.

2 CHAIRPERSON HOOD: So did we achieve -- and I'm just  
3 asking you for -- because I know you all follow it -- followed  
4 it much more than we did after we approved it. But did we  
5 achieve the goals that -- I'm sure you're going to tell me  
6 yeah. But did we achieve most of the goals that we set out for  
7 in that PUD?

8 MS. SHIKER: Chairman Hood, we did. And I will tell  
9 you, I'm finalizing for tomorrow an extremely detailed matrix  
10 saying every single commitment that was made by the applicant  
11 in that case, and we're providing concrete evidence to show how  
12 we fulfilled and met each one of those commitments. That's the  
13 new status quo of the Zoning Administrator's office is -- I  
14 want to say our matrix and exhibits is probably about 120  
15 pages, showing how we've delivered every service, how we've,  
16 you know, committed to certain levels of affordable housing; at  
17 that point, 12 percent was a big deal, and how we committed to  
18 that, or I, you know, CIZC location plans, all of the different  
19 amenities and benefits, including a certain things that were  
20 really important to the bikes, the biking community there that  
21 we did so.

22 So yes, I can say, and I can say there's a document  
23 that says it as well.

24 CHAIRPERSON HOOD: Okay. That's great to hear.

25 Ms. Schellin, if you're listening, I'm going to ask

1 | you to put that on my list of things to do the next time we  
2 | have a training session with the Zoning Administrator. I want  
3 | to follow up with a question similar to that.

4 |           I'm glad to know he's doing that, because I didn't  
5 | know he was doing that. I'm glad we have some checks and  
6 | balances, and that we actually are achieving some of the things  
7 | that we talk about in these settings.

8 |           So Ms. Schellin, I'm going to ask you to help me to  
9 | remember that.

10 |           I want to go back to what Commissioner May talked  
11 | about. And for full disclosure, I actually swore in officers  
12 | at ANC 5B, and actually four to five other ANCs and community  
13 | groups here in Ward 5 this past year. So I wanted to put that  
14 | on the record. Didn't talk about any cases.

15 |           But what concerns me with the groundswell of support  
16 | -- and I see commissioners all supporting, but I don't see a  
17 | letter -- and I know can go to Commissioner Ra Amin, who I have  
18 | a lot of respect for, and I'm going to -- what concerns me  
19 | though is, is the ANC 5B is not giving the great weight that  
20 | others -- ANCs in the city get by not taking a formal position.  
21 | So I, you know -- not necessarily a question for the Applicant.  
22 | Maybe I'll hold that question for the Commissioner.

23 |           What -- well, I -- my problem -- let me go to the  
24 | next question. My problem is when I look at the benefits  
25 | package, I see capital improvements. And I would hate to have

1 a PUD paying for something that our taxes should pay for. This  
2 is not the first time, I think. And I don't want to undo  
3 anything that the ANC has done, but I will have that  
4 conversation with them. Let me ask you, did that come up?  
5 Because some of that is capital improvements.

6 MS. SHIKER: So I don't believe that they're capital  
7 improvements per se. I think that they are -- so kind of wish  
8 list items. So they're not like, for example, fixing steps so  
9 that people can walk up. But they're like, can we create some  
10 type of better science lab or some better field trip  
11 opportunity such that -- because the way that the Zoning  
12 Regulations read, they say that a monetary contribution can  
13 only be made if the specified items or services are delivered  
14 prior to the issuance of a certificate of occupancy.

15 So when I was talking about that matrix in that past  
16 case, for example, we did make certain types of contributions  
17 to fund certain services, and items. And so what we had to do  
18 is provide evidence, like, here, we bought these 10 computers  
19 for the school. Here is the invoice. Here is a receipt that  
20 the principal signed off on it. But to your question, all of  
21 these items, we explained to them that they can't be capital  
22 improvements, because I know, Chairman, you've said that  
23 comment before, and that what they are to do are to be items  
24 and services that can be delivered, that can be quantifiable or  
25 tangible, that we can say these have been delivered prior to a

1 certificate of occupancy.

2 I am not familiar with that school's, you know,  
3 budgets or what their capital plans are, but we did have that  
4 discussion upfront. And so our hope would be that these would  
5 be additional things to help support the schools that are very  
6 important to this neighborhood.

7 CHAIRPERSON HOOD: So thank you, Ms. Shiker. I do  
8 appreciate it. I learned that a while back. It might not  
9 necessarily be capital improvements, but improvements that our  
10 tax dollars, some of it that can pay for. Because under the  
11 Williams administration, my organization, we had some money, we  
12 wanted to buy some computers for one of the local elementary  
13 schools. We pulled that off the table and let the City buy it,  
14 and we used that money for something else. So I'm just  
15 throwing that out there. I'll have that discussion with the  
16 ANC.

17 Let's talk about the farmer's market. How's that  
18 going to work? I think -- I'm sure everybody's excited. How's  
19 that farmer's market going to work?

20 MR. GORDON: Commissioner Amin introduced us to a  
21 group that runs, I believe it's actually 20 to 30 farmer's  
22 markets. It's a not-for-profit. We're going to contribute  
23 \$140,000 essentially in trust for five years to help defray  
24 startup expenses and then ongoing operating expenses over the  
25 first five years. We're also designing Reed Street or working

1 with DDOT to design Reed Street to farmer's market standards  
2 there. So in an ideal world, we'll end up with some scored  
3 pavement there, perhaps some bollards, whether removable or  
4 built into the street.

5 We're also providing storage within our Phase IIB  
6 building, and I believe we're going to provide a hose spigot on  
7 the face of the Phase IIB building. So we're trying to do the  
8 best we can to think through what will make operation of that  
9 farmer's market and its eventual continuity a -- we're trying  
10 to set it up for success and then finance getting it off the  
11 ground. That's the way we're thinking about it.

12 CHAIRPERSON HOOD: Okay. Thank you. I'm sure the  
13 community and everybody is real excited about that.

14 Ms. Shiker, you mentioned, Reed Street. Is  
15 Reed Street -- you said it was an alley? Maybe I missed it.  
16 Is it an alley, or is it low maintenance or no maintenance  
17 rather?

18 MS. SHIKER: So interestingly, Reed Street, just  
19 north of Channing Street, so south of our project, it is a  
20 street up until that point. And if you go out there, it's so  
21 interesting, because all of a sudden, you can see that it turns  
22 from a street to an alley. In front of our project, it is  
23 currently an alley with a width of 30 feet. And it -- under  
24 the D.C. Code, to have a street, you have to be at least  
25 70 feet.

1           In this case, we've worked extremely closely with  
2 DDOT to get to a point where we're going to have 30 feet of the  
3 right of way, and then abutting all portions of our project,  
4 dedicating in feet, another 10 feet. So up on the north part  
5 between Phase IIA and Phase IIB, you're going to have 50 feet.  
6 So it will be 10 feet of sidewalks and then the 30 feet of the  
7 roadway. And then on Phase I, because we only control one  
8 side, it's going to be 10 feet plus the 30 feet. And then  
9 there's already the Rowan development there, which did set this  
10 building back a bit.

11           So we cannot do a real street because of those  
12 provisions, but we've agreed with DDOT that we would build it  
13 to street standards. And that's that Horizontal Use Agreement  
14 that I talked about. And so that is what we've been  
15 negotiating to make sure that we have the whole process down,  
16 the inspections of DDOT that will meet those standards. But it  
17 will continue to be legally an alley, which is fine for all  
18 these purposes.

19           CHAIRPERSON HOOD: Thank you, Ms. Shiker. And I also  
20 want to add my comments along with Commissioner May. You  
21 rolled that right off better than anybody I've seen. So you  
22 have the Zoning Commission's award for rolling that information  
23 right off, so thank you.

24           I do want to ask about the equity lens. You  
25 mentioned the further of the transportation goals. Show --

1 | tell me how to -- what's the nexus. When you say -- how is  
2 | furthering the transportation goals part of the racial equity  
3 | lens? And I -- and let me back up. I appreciate the way you  
4 | all have looked at our tool and answered the questions. But  
5 | help me refine -- helped me understand what you meant when you  
6 | said that.

7 |           MS. SHIKER: So I am just pulling out my notes here.  
8 | But -- so when you look at the different elements of these  
9 | equitable indicators, we're supposed to look at them to see how  
10 | do they help all citizens of the District of Columbia. And by  
11 | taking this area in a neighborhood that is so barren and  
12 | substandard, creating better, both vehicular, pedestrian and  
13 | vehicular traffic patterns, you create a better city and a  
14 | better community for all. And that goes to looking through the  
15 | racial equity lens is ensuring that you're not making any  
16 | distinctions, right.

17 |           So these are very prominent walking routes to the  
18 | Metro to the south. Also, as you've seen, or you will hear,  
19 | there are a variety of schools and charter schools in this  
20 | area, and transportation and traffic calming has been very  
21 | important to the community. So by creating safer walking  
22 | spaces as well, this transportation infrastructure project  
23 | furthers the transportation goals, but it does it through a  
24 | racial equity lens, where it furthers that for everyone. And  
25 | that's what I meant.

1 CHAIRPERSON HOOD: Okay. Thank you.

2 Also let's -- the light-colored brick -- I want to  
3 echo also Commissioner May. That has been a concern. We have  
4 -- I've been around awhile to ride past some things that we  
5 have seen, and I'm like, I couldn't believe we did that. So I  
6 don't know if you have a way of cleaning it, or maybe we can  
7 change -- whatever you all decide. But we don't want it to  
8 look old before we get started. So that's where we are.

9 I don't have any further questions. I think this is  
10 a great project. It looks like you all have covered a lot of  
11 base. And I'm not going to ask any more is there any  
12 opposition, because I don't want any to show up, because I have  
13 never experienced this. So I don't believe I have. But I want  
14 to commend you on all the work that you all have done.

15 So any second round to my colleagues? Anybody have a  
16 second round?

17 (No audible response.)

18 CHAIRPERSON HOOD: Okay. Let's go up to the ANC  
19 if -- see if the --

20 Commissioner Imamura?

21 COMMISSIONER IMAMURA: Sorry, Mr. Chairman. This is  
22 actually a little inconsequential. But architects, landscape  
23 architects, the attorneys, they always get a little shy,  
24 whether good or bad. But Mr. Andres is usually there in the  
25 background. His reports are always pretty thorough.

1           So I just want to acknowledge that and say thank you,  
2 Mr. Andres, for your report.

3           MR. ANDRES: Thank you, Mr. Imamura.

4           CHAIRPERSON HOOD: And I see Archie agrees with your  
5 comments, and I also agree. I think I have. I was going to  
6 ask some transportations, but I -- transportation questions,  
7 but I think a lot of my answers and questions were answered  
8 through the process. So we want to acknowledge the whole team.

9           And Archie, do you have any questions before we move  
10 on?

11          VICE CHAIR MILLER: Archie, do you have any comments

12 --

13          CHAIRPERSON HOOD: I guess he doesn't.

14          VICE CHAIR MILLER: -- about Old Trolley?

15          CHAIRPERSON HOOD: Well, he cut -- you turned your  
16 camera off, so I guess Archie said no, I don't have any  
17 questions.

18          VICE CHAIR MILLER: Archie doesn't have any  
19 questions.

20          CHAIRPERSON HOOD: Okay. All right.

21          Let's go to --

22          Good to see you, Archie.

23          Ms. Schellin, could you bring up Commissioner

24 Ra Amin? I think you may have to --

25          MS. SCHELLIN: Actually, he is not going to be

1 representing the ANC.

2 CHAIRPERSON HOOD: Oh, who's representing? I thought  
3 he was --

4 MS. SCHELLIN: We were advised that he was recused.  
5 It's going to be Gayle Carley.

6 CHAIRPERSON HOOD: Oh, okay. Commissioner Carley.

7 MS. SCHELLIN: She's the chair.

8 CHAIRPERSON HOOD: Let's bring Commissioner Carley  
9 up.

10 MS. SCHELLIN: Uh-huh.

11 CHAIRPERSON HOOD: I didn't see that in the -- was  
12 that in our notes?

13 MS. SCHELLIN: It came in late this afternoon.

14 CHAIRPERSON HOOD: Oh.

15 MS. SCHELLIN: I sent you an email with the update.

16 CHAIRPERSON HOOD: You sent it to me this afternoon.

17 I want to see the Wizards win today. But anyway. I mean the  
18 Mystics, not Wizards, the Mystics. All right. And it was camp  
19 day. I had a great time with kids. So anyway -- Archie, you  
20 should have went with us.

21 But anyway, let's -- let's bring up Commissioner  
22 Carley.

23 Yeah, now, Commissioner Carley, good afternoon, or  
24 good evening shortly. This is a time to have, if you have any  
25 questions of the Applicant, we can do that at this time.

1 MS. SCHELLIN: She's on mute.

2 MS. CARLEY: I'm sorry. Can you hear me?

3 CHAIRPERSON HOOD: Yes, we can hear you. You may go  
4 right ahead.

5 MS. CARLEY: Okay. Thank you. So one of the things  
6 -- I'm glad I listened to the presentation by Hanover earlier.  
7 I heard them present, I think, twice, and neither time did I  
8 hear anything about the displacement. So I was just, you know,  
9 wanted to mention that. But I don't have any questions for  
10 them. But I do have, you know, I do want to present on the  
11 fact that we -- Hanover, I think they said they met with us  
12 multiple times. The first time we met with them, and they  
13 presented was in May 2022. Although the Commissioner Amin said  
14 that he had worked on this project for three years, when they  
15 presented in May 2022, I guess they were basically, you know,  
16 giving us information. And I think the concerns that I had,  
17 along with some of my colleagues, is that when we would ask  
18 Commissioner Amin questions, he was unable to answer, and the  
19 developers in the Holland & Knight lawyers were responding to  
20 the questions. So that was --

21 CHAIRPERSON HOOD: Okay. Commissioner? Commissioner  
22 -- Chairperson Carley -- I should know you're the chairperson.  
23 Chairperson Carley, let's -- we're going to come back. This is  
24 a time, as you know, to ask questions of the Applicant on the  
25 presentation. Some of what you're telling me, you can tell me

1 when I call you right back up.

2 MS. CARLEY: Oh, awesome.

3 CHAIRPERSON HOOD: I'm going to call you right back  
4 up shortly.

5 MS. CARLEY: Okay. No, I don't have any questions.  
6 Well, let me ask them this. Once this project is, if you're  
7 given the go ahead, when do you think you will break ground?

8 MR. GORDON: Our plan is to break ground next summer.  
9 That's the goal.

10 MS. CARLEY: Okay. And my other question is, I  
11 looked at the 200-footer lists, and I noticed there were more  
12 people out of town than local, and I was wondering why you  
13 weren't able to identify the land or the structure that they  
14 owned in that area.

15 MS. SHIKER: So when we do the 200-foot property  
16 owner's list, we request that from the Office of Tax and  
17 Revenue, which is what we're supposed to do. And so then we  
18 give notice to the property owners that are listed in the  
19 records of the Office of Tax and Revenue. They actually do the  
20 certification of the list. We just do that, because that's the  
21 service that they provide. We did, in the interest of making  
22 sure that everyone knew about the project, there was at least  
23 one time that we gave flyers to all the property owners, to the  
24 actual homes, not mailed, but at the actual homes.

25 And I know that happened at least once from our team,

1 and I do believe that happened another time as well through  
2 Commissioner Amin. And also, you know, in addition to a lot of  
3 the additional community outreach that's been done by kind of  
4 the community leadership, there's also been 16 signs posted  
5 about the hearing. So certainly, we haven't heard from anyone,  
6 and I think it's because we've gone out so many times. But  
7 there were really multiple ways for somebody who maybe is a  
8 tenant and has an out-of-town landlord, if they didn't get that  
9 notice, that they would have found out about the project.

10 MS. CARLEY: So there was no way to get that  
11 information that you have these out-of-town owners as to what  
12 they actually owned in that area?

13 MS. SHIKER: So the Zoning Regulations say that we --  
14 you -- it's the names of the people in the Office of Tax and  
15 Revenue who own the property. They're the ones who get the  
16 notice, and so that's how we do it. But again, as I said,  
17 we've done multiple layers of noticing, just to make sure that  
18 the notices went out as fully as possible.

19 MS. CARLEY: Okay. I mean the reason why I'm asking  
20 is because I received 200-footer lists, and I was under the  
21 assumption that the Applicant was responsible for creating that  
22 list. And usually they have, if the owners are not local, then  
23 they'll also have that particular property that they own, so  
24 you can at least, you know, inform, you know, how long you're  
25 going to be here, whether you're going to stay, if you're

1 renting or whatever the -- or plan to buy, whatever the case  
2 may be, okay. But, okay. Thank you. That's all I wanted to  
3 know. Because I just noticed that eight of the people on that  
4 list were actually applicants. And I myself was on that list,  
5 and I know I'm not a 200-footer. But --

6 CHAIRPERSON HOOD: Okay.

7 MS. CARLEY: -- I thank you.

8 MS. SHIKER: The procedure is because they own  
9 property, you know, we did it for each of the properties. And  
10 Chairman Carley, we put you on the list just to make sure that  
11 you would get additional notice. We try to always add any kind  
12 of civic association, the ANC office and members of the ANC,  
13 including the chairman. Thank you.

14 MS. CARLEY: Thank you.

15 CHAIRPERSON HOOD: And we always -- Chairperson  
16 Carley, we demand that. We want to make sure that everyone in  
17 the community, especially the leaders, are notified, so we want  
18 to --

19 Thank Ms. Shiker. Ms. Shiker, she -- Chairperson  
20 Carley mentioned something. I would like for you to just  
21 speak on it again, about the displacement of the PDR. If you  
22 can just kind of just talk about that piece again for all of us  
23 since it was mentioned.

24 MS. SHIKER: Of course, Chairman.

25 So there are six current tenants on the site. The

1 two -- two of those tenants are Old Town Trolley, which we've  
2 spoken about, and Eagle Mat and Warehouse. Eagle Mat and  
3 Warehouse is a Maryland-based company, and they sold their  
4 property to become part of the development, so technically not  
5 being displaced and so part of the development. They have  
6 their headquarters in Montgomery County, and my understanding  
7 is they are taking this very relatively small warehouse site  
8 they had and their initial intent is to put that back into  
9 their headquarters building.

10           There is one other tenant, who I mentioned is in --  
11 currently in eviction proceedings for lack of rent payment.  
12 And then there are the three other tenants. There is the  
13 Pathways to Housing, which is an office use. There is another  
14 independent non-D.C. resident auto tenant, and then a CO2  
15 extraction company, which is called DC Extracts. Those three  
16 tenants would not be appropriate PDR makerspace uses. Auto  
17 repair, obviously, extraction of CO2, and an office use is not  
18 really a PDR makerspace. So the landlord has offered them  
19 assistance with getting a leasing agent, and then has offered  
20 to do rent abatement during any crossover periods, if  
21 applicable. So we have offered them assistance to relocate to  
22 other places.

23           MS. CARLEY: Okay. And I have one other question.  
24 And I think I may have asked this before. So how did you  
25 determine the level of need for those in the CDA?

1           MR. GORDON: So in the beginning of the process, we  
2 came in, we presented to the BNCA, and in October of 2021, we  
3 presented to the to the ANC. And then we went through a  
4 process with the head of the BNCA and the SMD commissioner,  
5 where they identified groups that they thought should be those  
6 that, you know, could make proposals to us to receive funds.  
7 When those groups were ready to present, I can't remember if it  
8 was an SMD meeting or a BNCA meeting, but there was another  
9 meeting in which they presented. I believe it was an SMD  
10 meeting.

11           And then over the course of the days and weeks  
12 following that, we worked through how much money should go to  
13 each organization and which phase it should be tied to with  
14 Commissioner Amin, with advice from members of the community,  
15 including the then BNCA President, Dan Schramm, and also advice  
16 from the 200-footers and also sort of the thoughts of the  
17 organizations themselves, since they were asking for money for  
18 particular projects. So for instance, the group, Friends of  
19 Noyes Park, that wanted money for -- or really, they wanted to  
20 expand the community garden plots project. That project had an  
21 actual cost. And so it was either fund the project or not in  
22 that case. Hopefully, that answers the question.

23           MS. CARLEY: Did you review the -- any of the  
24 recipients' budget prior to making that decision?

25           MR. GORDON: So every recipient, I think, they all

1 | came prepared with PowerPoint slides to the SMD meeting. And  
2 | as part of the evaluation process and the conversation, we did.  
3 | We looked at those -- at their proposals, and the proposals  
4 | were both budgets, but also qualitative in nature with an  
5 | explanation of what they wanted to do with the funds. And  
6 | yeah, we reviewed all of it. I wouldn't say that we, as the  
7 | developer, were the final decision maker. But I think all of  
8 | the groups that are receiving funding, and all of the projects,  
9 | really, I should say, that are receiving funding, because no  
10 | group is receiving just cash or something like it. We're  
11 | really funding specific projects.

12 |           And I think that they are all projects that will be  
13 | beneficial to the community, and particularly to the immediate  
14 | community, including Noyes Elementary School, Noyes Park. I  
15 | mean, these are all organizations and focal points that will be  
16 | close to the development and will be affected by the  
17 | development.

18 |           MS. CARLEY: Thank you.

19 |           CHAIRPERSON HOOD: And thank you. I'm glad you  
20 | cleared that up, because the Zoning Commission has insisted  
21 | that we deliver services, not cash. So I really appreciate you  
22 | bringing that up. Thank you. That was a very exhaustive  
23 | discussion some years back.

24 |           All right. Thank you, Chairperson Carley.

25 |           Let's see. Let's go to the Office of Planning and

1 DDOT at this time.

2 Mr. Young, let's leave Commissioner Carley up,  
3 because she's going to be coming on right after this.

4 MS. SCHELLIN: Kelsey Bridges for -- oh, there you  
5 go.

6 CHAIRPERSON HOOD: Okay. There we go.

7 So Mr. Lawson, is it you?

8 MS. SCHELLIN: Is that also Maxine, Jennifer?

9 MR. LAWSON: Hi. Good evening. This is --

10 MS. STEINGASSER: No, it would be Mr. Lawson.

11 MR. LAWSON: -- this is Joel Lawson from the Office  
12 of Planning. I'm going to be presenting tonight. Hope you can  
13 all hear me okay.

14 So the Office of Planning recommends that this  
15 application as amended, be approved. We have raised a couple  
16 of detailed questions in our hearing report, but OP remains  
17 very supportive and is very excited to see this transformative  
18 proposal move forward.

19 We appreciate the Applicant's response to the  
20 questions raised at setdown by the Commission and by OP. In  
21 general, OP feels that the Applicant addressed these issues  
22 well. OP supports the Applicant's proposals to incorporate  
23 additional PDR space consistent with the Future Land Use Map  
24 and to add more three-bedroom units and more balconies to the  
25 design.

1           The portion of the property proposed to be rezoned to  
2 MU-4 is designated on the Future Land Use Map for moderate  
3 density residential/PDR mixed-use development. The portion of  
4 the property proposed to be rezoned to MU-6A is designated for  
5 high-density residential/PDR mixed-use development. There's no  
6 zone which specifically provides for a residential PDR use mix,  
7 but the proposed MU zones are the most appropriate options and  
8 are consistent with this Comp Plan direction.

9           The OP report further describes how the proposal  
10 would generally further direction of the policy map and the  
11 Comp Plan written elements. These include the land use,  
12 housing, transportation, environmental protection, economic  
13 development, and Urban Design Citywide Elements, as well as the  
14 Upper Northeast Area Element. Although the Comp Plan includes  
15 policy statements regarding retention and PDR lands and uses,  
16 these are weighed against other Comp Plan policies and the  
17 merits of the project as a whole. This is kind of getting to  
18 the questions that Commissioner Miller was raising. In this  
19 case, bringing new market rate housing, affordable housing, and  
20 makerspace uses to the site furthers direct Comp Plan policy  
21 direction. On balance, this mixed-use development would be not  
22 inconsistent with the Comprehensive Plan.

23           With regards to analysis through a racial equity  
24 lens, the OP report includes a full analysis of the Comp Plan  
25 through an equity lens, as does the Applicant's submission. In

1 summary, one of the main ways the Comprehensive Plan seeks to  
2 address equity is by supporting additional housing,  
3 particularly additional affordable housing, as would be  
4 provided in this mixed-use development. No existing residents  
5 would be displaced, as the site does not currently allow for  
6 residential use, and tonight, the Applicant has addressed the  
7 limited displacement of existing businesses. The additional  
8 three-bedroom units and the live-work units also help the  
9 project to better address equity.

10           The proffered benefits and amenities package for this  
11 PUD includes the production of 683 new residential units on a  
12 site that, as they said, currently contains no housing, and on  
13 which the current zoning does not even allow housing. This  
14 would include over 15 percent of the residential square footage  
15 of 30 to 80 percent of MFI. The proposal also includes about  
16 22,000 square feet of PDR space, which often helps to provide  
17 opportunities for new startup businesses and employment for  
18 area residents with a variety of skill levels.

19           Proposed infrastructure improvements, including the  
20 upgrading of Reed from an alley to a street with better  
21 connections to the north and south, are also a considerable  
22 benefit to the residents and to business owners of this site  
23 and the neighborhood. They're more than what would be normally  
24 seen as part of the PUD. Designing the street to accommodate a  
25 farmer's market, which helps to address access to fresh,

1 healthy foods in the neighborhood, is also an exciting proffer.

2           The buildings themselves are designed to reflect the  
3 industrial nature of the former zoning -- current zoning and  
4 soon-to-be farmer's markets. The industrial nature of the  
5 area, and generally use good quality materials and detailing  
6 and the applicant has been responsive to requests or  
7 suggestions to improve the design further. The massing of the  
8 proposed project is designed to be reflective of the  
9 surrounding neighborhood, particularly the row house areas to  
10 the east and south of the Phase IIA building.

11           The Applicant is also proposing a number of monetary  
12 contributions to area schools, parks, and service providers.  
13 Some of these may not meet the requirements for being  
14 considered as part of the benefits and amenities proffered;  
15 however, they are all commendable, and OP appreciates the  
16 detailed discussions that this Applicant has had with community  
17 members.

18           At setdown, the Commission requested a comparison of  
19 the proposal against the map amendment with IZ Plus. We  
20 provided that in our hearing report, and our analysis indicated  
21 that it is likely that a map amendment with IZ Plus would  
22 provide more affordable units in the proposal. This is even  
23 though this project would provide more housing overall and more  
24 affordable housing than would be required under IZ. In this  
25 case, OP feels that the benefits and the amenities package,

1 | which is intended to be read as a whole, is commensurate with  
2 | the flexibility gained through this PUD and is acceptable.  
3 | This is because, again, of the significant number and scope of  
4 | items that will benefit the community, the City as a whole and  
5 | the new occupants of this development.

6 |           The proposed development generally meets development  
7 | standards of the proposed zones. In addition to the requested  
8 | zoning map amendment from PDR-2 to MU-4 and MU-6A, the  
9 | Applicant has requested flexibility from lot occupancy, side  
10 | yard and rear yard regulations. OP is not opposed to this  
11 | relief. As is typical for a PUD, the Applicant has requested  
12 | additional flexibility. OP has no major concerns, and in  
13 | particular, finds that the proposed definition of makerspace is  
14 | acceptable.

15 |           We did, in our report, raise a couple of issues  
16 | around flexibility. We worked closely with the Applicant to  
17 | refine the requested flexibility from the IZ proffer. It got a  
18 | bit complicated -- the wording got a bit complicated, but we  
19 | are generally in agreement, although OP has recommended a  
20 | slightly higher minimum for the IZ square foot -- for the --  
21 | slightly higher minimum for IZ square footage set aside, and  
22 | our recommendation is based on the amount proffered at setdown.

23 |           As noted by this -- by the Applicant, OP also raised  
24 | that some additional flexibility from the IZ regulations as  
25 | needed. The regulations state that any IZ units approved

1 | through a -- through a Zoning Commission process above and  
2 | beyond what the IZ requirements -- required amount would  
3 | require, must comply with the IZ regulations. In this case,  
4 | the current proposal from the Applicant, now includes a small  
5 | number of rental units at 80 percent MFI. This exceeds the IZ  
6 | requirement at 60 percent MFI, and therefore, flexibility is  
7 | needed.

8 |           To give you some context, just so the Commission  
9 | knows why we're kind of raising this as an issue. We've  
10 | recently seen, frankly, a number of proposals for PUDs or  
11 | modifications to PUDs that include some units at 80 percent  
12 | MFI. And we have some concerns about trading units at lower  
13 | than 60 percent of MFI for units at higher than 60 percent of  
14 | MFI as part of a PUD benefits package. Although these units  
15 | can and would be administered by DHCD through the IZ program,  
16 | DHCD has made it clear to us that their priority is units at  
17 | lower MFI.

18 |           OP will continue to advocate for PUD offering units  
19 | to be provided at 60 percent MFI or less as part of the  
20 | benefits package. As such, OP would, honestly, typically  
21 | oppose flexibility from IZ. However, in this case, in this  
22 | particular application, we feel that the benefits package for  
23 | this proposal as a whole is uniquely extensive and commendable  
24 | because of its nature and extent of the many items proffered.  
25 | The benefits package is simply better than what we normally see

1 in a PUD, so some additional flexibility may be warranted.

2 And with that, I'll end my presentation. And OP is  
3 available for questions. Thank you.

4 CHAIRPERSON HOOD: Great. Thank you, Mr. Lawson.

5 I'm going to ask that everybody mute so we won't  
6 disturb the presentation. ]

7 Ms. Bridges? DDOT?

8 MS. BRIDGES: Hello?

9 CHAIRPERSON HOOD: There you go. We can hear you.

10 MS. BRIDGES: Can you hear me, Chair?

11 CHAIRPERSON HOOD: Yes, we can hear you.

12 MS. BRIDGES: Okay. Great. Thank you.

13 Good evening, Chairman Hood and members of the  
14 Commission. For the record, I'm Kelsey Bridges with the  
15 District Department of Transportation. DDOT is supportive of  
16 the applicant's proposal.

17 As you heard in the presentation, the applicant has  
18 coordinated with DDOT and the community on the transportation  
19 impacts, and has come to an agreement with the application on a  
20 robust Transportation Demand Management Plan to mitigate the  
21 project's impacts to the transportation system.

22 The Applicant has agreed to the additional TDM  
23 elements DDOT requested in their report, as noted in the  
24 transportation supplemental memo. The updated TDM plan is  
25 documented on July 20th, 2022, memo, which is Exhibit 52B on

1 | the record. With the agreed to TDM plan included in the final  
2 | zoning order and continued coordination with DDOT through the  
3 | Horizontal Public Use Agreement and public space permitting,  
4 | DDOT has no objection to the approval of this application.  
5 | Thank you.

6 | CHAIRPERSON HOOD: Thank you both.

7 | Thank you Ms. Bridges and Mr. Lawson.

8 | Let's see if we have any questions or comments.

9 | Commissioner May?

10 | COMMISSIONER MAY: I do not have any comments or  
11 | questions. Thank you.

12 | CHAIRPERSON HOOD: Okay.

13 | Commissioner Imamura?

14 | COMMISSIONER IMAMURA: No.

15 | Thank you, Ms. Bridges.

16 | Thank you, Mr. Lawson, for your reports.

17 | CHAIRPERSON HOOD: And Vice Chair Miller?

18 | VICE CHAIR MILLER: Yes.

19 | Thank you both for your comprehensive report and  
20 | recommendations and all your work with the Applicant on this  
21 | project.

22 | I guess, Mr. Lawson, I just -- and thank you,  
23 | Mr. Lawson, for particularly your discussion of all the  
24 | balancing of the Comprehensive Plan policies that you presented  
25 | here today. I guess I had just a couple of questions,

1 Mr. Lawson. On the flexibility -- so there's two IZ  
2 flexibility issues, I think. There's the number and mix of the  
3 units, and then there was the -- and I -- and you've  
4 recommended language to be added to what the Applicant  
5 suggested, as I understand it.

6 So on page eight of your report, you wanted a direct  
7 reference added to the amount proffered at setdown. You  
8 recommended that the proposed flexibility of language to be  
9 further amended to include a direct reference to the amount  
10 proffered at setdown. And that language was "within -- so long  
11 as the total square footage reserved for inclusionary units is  
12 the greater of 112,664 square feet or 15 percent of the  
13 residential gross floor area." You -- is it -- is -- that as  
14 is that is still your recommendation, and has that been  
15 accepted by the Applicant? Well, the Applicant can confirm  
16 this in a moment.

17 MR. LAWSON: Right. And also you let the Applicant  
18 address, you know, kind of what their position is at this  
19 point. We did recommend that one change. It's basically the  
20 same. I will say that the Applicants are in agreement on the  
21 wording of that flexibility. The only potential thing where  
22 we're not in agreement on is that number of 112,000, you know,  
23 plus square feet. We felt that it was appropriate to base that  
24 baseline minimum on what was -- what would have been proffered  
25 and setdown. Since then, the Applicant has pointed out that

1 the project, for a variety of reasons, has had to scale back a  
2 little bit. So the number of units has gone down, the  
3 residential square footage has gone down. And I think they  
4 would probably make the argument that it makes more sense to  
5 base that base amount on the approved set of plans, as opposed  
6 to what was proffered up at setdown. But I'll let them address  
7 that more directly, if you want to ask that question of them.

8 VICE CHAIR MILLER: Okay. But you would be -- I  
9 think there is some logic to basing it, the number, on the  
10 approved set of plans is -- you would be okay with whatever  
11 that square footage number is?

12 MR. LAWSON: I think if what you're asking is would  
13 our recommendation change to one of denial if that change was  
14 made, it would not. This is a relatively discrete issue,  
15 relatively small matter, so it would not change our  
16 recommendation of approval of the project as a whole. This is  
17 a great project. And we are very supportive, and we don't --  
18 honestly, we don't want to hold it up. We want it to go  
19 forward and get under construction next summer.

20 VICE CHAIR MILLER: Well, I agree with you there.  
21 And I guess I'll leave it to our council to tweak that number  
22 as best as they can. I know we've had -- we've had this  
23 discussion, I think, before in other cases about a baseline  
24 minimum number when the overall flexibility of units numbers  
25 gets changed later on, that the order actually allows, so.

1 Anyway, so again, I appreciate your clarification there, and  
2 maybe the Applicant, if they have something further to add,  
3 they can.

4           The other question I had, just to -- if you can just  
5 confirm what the Applicant -- what's in the -- which -- what  
6 the Applicant testified to. And I think we -- it maybe already  
7 is in your report, I think. The recent Comp Plan map change --  
8 land -- Future Land Use Map change for this site -- well, the  
9 existing Future Land Use Map, the existing, it's a very  
10 convoluted way of saying it. But the existing Future Land Use  
11 Map provides a -- half of the or part of the -- part of this  
12 site as mixed-use, high-density residential PDR. And the -- I  
13 think that's the western portion. And the eastern portion is  
14 mixed-use, moderate density residential/PDR.

15           Could you just confirm that the recent change made --  
16 or the Applicant can confirm this as well, by the Council and  
17 the Mayor and the most recent land use map Comp Plan changes  
18 was to add that residential stripe in both the eastern and  
19 western, or was it just one part of the site? But it was all  
20 PDR before the most recent changes, and then the -- this  
21 residential stripe, high-density on one part of the site and  
22 moderate on another was added. Is that what happened?

23           MR. LAWSON: That's absolutely correct. The site was  
24 designated for PDR uses. And essentially what Council did was  
25 they added the stripe for residential; high-density on a

1 | portion, moderate density on a portion, very carefully kind of  
2 | crafted to reflect the context of those two parcels. And  
3 | again, we think the Applicant has done a really good job of  
4 | reflecting that in the massing, in the bulk and the density of  
5 | the buildings that they're proposing.

6 |           VICE CHAIR MILLER: Thank you for confirming that,  
7 | and I agree with your assessment of that. Thank you very much.

8 |           Thank you, Mr. Chairman.

9 |           CHAIRPERSON HOOD: Okay, thank you.

10 |           I don't have any discussions. And thank you,  
11 | Vice Chair, for covering that.

12 |           I don't have any comments for either Office of  
13 | Planning or DDOT. We really appreciate your reports.

14 |           Let's see if anyone else does. Let's go to the  
15 | Applicant.

16 |           Ms. Shiker, do you have any questions of either  
17 | Office of Planning or DDOT?

18 |           MS. SHIKER: I do not have any questions. I would,  
19 | if -- yeah, I have no questions. And if Commissioner Miller  
20 | wants me to respond further, I think that Mr. Lawson described  
21 | our positions very well, and I think that we can figure it out.  
22 | So anyway, I have no questions. Thank you.

23 |           CHAIRPERSON HOOD: Okay. Thank you.

24 |           Chairperson Carley, you have any questions of either  
25 | Office of Planning or DDOT?

1 MS. CARLEY: Oh. Sorry. No, I do not. Thank you.

2 CHAIRPERSON HOOD: Okay.

3 All right. Again, we did have correspondence from  
4 DHCD, which we spoke about. Also the Department of Energy and  
5 Environment, we had comments from them. They continue to  
6 always ask us to do more. And I'm sure the Applicant has  
7 reviewed both of those submissions.

8 All right. Let's go to --

9 Ms. Schellin, let's go to the ANC -- I mean ANC  
10 report. Let's go to Chairperson Carley.

11 MS. CARLEY: Thank you. So you know, I'm not going  
12 to say that we, you know, overall did not oppose -- that we  
13 overall oppose the project. Basically, we -- and I think --  
14 and when I say "we," it's because in the beginning, it was more  
15 than two people, which now it ended up being myself, the chair  
16 and the vice chair. And I guess, because we are probably the  
17 most seasoned commissioners on that board, that -- and we all  
18 must go through the process. You know, we aren't telling you  
19 what you could do over in your single-member district. But you  
20 know, when you come to ask for great weight, there is going to  
21 be extensive questioning. And one of the main and first things  
22 we ask is did you go out to the community? And every time we  
23 asked that question, the commissioner would say yes, and we  
24 have to prove that we've gotten -- that we, you know, literally  
25 sent something out to everyone in your single-member district,

1 but focus and make sure you send something out to the  
2 200-footers, so even if you don't get the response you want  
3 from the single-member district, you can get at least more than  
4 75 percent from the 200-footers, and we did not get that  
5 information. He never provided that information to us. And  
6 we -- he was given the opportunity or afforded the opportunity  
7 many times to come back to us. We had special meetings. We  
8 had another meeting on May 25th. At that particular time, we  
9 asked him a question, and he could not put the -- he didn't  
10 even want to put the vote on the board -- on the floor to vote  
11 on that, on the project.

12 We approved the alley because we asked for certain  
13 things. They met the request, and we felt like they did go out  
14 into the community. But as I explained to the developers, as  
15 well as Holland & Knight, we expect the ANC commissioner to go  
16 out to the community. We're not -- we do expect the developers  
17 to go out and -- at least once and then attend the meeting.

18 And I know everyone at Holland -- well, "we went into  
19 the community. We went into the community." We don't have any  
20 meeting -- virtual meetings where he can show that he went out  
21 into the community.

22 Every virtual meeting was either held on to BNC. And  
23 Brookland -- and I think I mentioned this before. The  
24 Brookland Civic Association is a membership fee organization.  
25 The ANC commission is not. And I think the other meetings were

1 held by the developers. We just wanted him to, you know, show  
2 that he had, you know, reached out to the community. And I  
3 would not have, you know, brought that up multiple times if I  
4 did not receive feedback that they did not know anything about  
5 this project and when -- and who had these meetings.

6           And I know for a fact, a lot of people don't want to  
7 come to developers' meetings. They don't want to go to the BNC  
8 if they're not a part of that organization. They want the ANC  
9 to host a meeting and be able to come back to the commission  
10 board and say, look, "Yes, I hosted a meeting. Here's what's  
11 going on, and here's what's happening, and here's what they're  
12 going to do." I asked him how many units they were going to  
13 put up. He didn't even know that. But he's been working on  
14 this project for three years. So yes, we had some concerns  
15 with that. And we afforded him several months to host a  
16 meeting.

17           The other thing would be the 200-footer list. We  
18 just wanted to know who owned the, you know, the property and  
19 whether or not I could knock on five out of, you know, doors  
20 and get five people to say yes, I approve this project. That  
21 didn't happen.

22           The -- and as far as the community packet, I asked  
23 questions on how these, you know, the recipients were chosen.  
24 Commissioner, you know, I refuse or said well, you know what, I  
25 do not want you to vote on this packet until you go to Vega and

1 find out whether or not you did anything, you know, unethical  
2 in this process. Once he visited Vega, Vega said he needed to  
3 recuse himself.

4           Three of the organizations he's closely, you know,  
5 involved with, one of the organizations which he sits on the  
6 board of, they have a membership fee of \$300. So that's why I  
7 just wanted to know, you know, the people who are receiving  
8 these -- or the recipients, you know, were they chosen because,  
9 you know, there was a level of need there, or were chosen  
10 because they have more members that would be able to go along  
11 with the project? Not that I said, there's anything wrong with  
12 the project. Yes, you did make some changes with the  
13 affordable housing as we brought up. But again, we need the  
14 ANC commissioner, you know, to be more involved. And now he's  
15 recused himself. Even a letter of support that he sent to  
16 Office of Zoning should not even be weighed in, because he  
17 recused himself from making any decisions or having a vote for,  
18 you know, this project. And I would love for us to have a  
19 unanimous vote. I would love for us --

20           And we had three different meetings, and two were  
21 special, and some, you know, one of them -- two of the meetings  
22 ran into 11 p.m. and night, because we're trying to get the ANC  
23 commissioner to do everything possible for his constituents to  
24 get this project, you know, approval, if this is what they  
25 want, you know, in their neighborhood. And I think that's the

1 | only thing that we have asked several times. And each time we  
2 | asked, we ended up getting a letter or an invite from the  
3 | developers or from Holland & Knight, when we should have been  
4 | getting it from the ANC commission, or the commissioner who  
5 | area that falls in. And I think that's all I had for right  
6 | now. So if there's any questions, I'll be more than happy to  
7 | respond.

8 |           CHAIRPERSON HOOD: Thank you, Chairperson Carley. We  
9 | appreciate your testimony. I don't know if there were any  
10 | zoning issues in there for me to ask any questions, so I don't  
11 | have any.

12 |           I just will say this. This is -- I would continue to  
13 | encourage everyone to continue to work together who's able,  
14 | because I hate to see when areas, especially areas I live in,  
15 | miss the opportunity of giving great weight, because I think  
16 | it's important, especially for the record and for time for  
17 | years to come. So I'll just leave it at that. That's not a  
18 | comment. I don't necessarily need to have a response on that.  
19 | But I will just ask all parties to try to work with -- I think  
20 | maybe you have new leadership there, Chairperson Carley. I'm  
21 | not sure how -- who was doing what and when all this  
22 | transpired. It just showed up to us this month. But either  
23 | way, let's continue to work together with the community. I  
24 | think that's very important.

25 |           Commissioner May, you have any questions or comments?

1 COMMISSIONER MAY: I do not.

2 CHAIRPERSON HOOD: Okay.

3 Commissioner Imamura, you have any questions or  
4 comments?

5 COMMISSIONER IMAMURA: I do not.

6 CHAIRPERSON HOOD: Okay.

7 And Vice Chair Miller, you have any questions or  
8 comments?

9 VICE CHAIR MILLER: I -- no questions or comments.

10 Thank you for being here today and testifying.

11 MS. CARLEY: You're welcome.

12 CHAIRPERSON HOOD: Okay. Does the Applicant have any  
13 questions or comments for Chairperson Carley?

14 MS. SHIKER: I do not, Chairman. Thank you.

15 CHAIRPERSON HOOD: Okay.

16 All right. Well, thank you again, Chairperson. We  
17 appreciate your testimony and all the work that you all do over  
18 there in 5B.

19 MS. CARLEY: Thank you.

20 CHAIRPERSON HOOD: All right. Let's go to --

21 Ms. Schellin?

22 COMMISSIONER MAY: Mr. Chairman?

23 CHAIRPERSON HOOD: Do we have anybody -- I think I  
24 can bring everybody in opposition, support, or --

25 Commissioner May?

1           COMMISSIONER MAY: Yeah. I'm sorry to interrupt, but  
2 I just wanted to note the fact that I just received an email  
3 from Commissioner Amin directly to my email, and just want to  
4 make sure that the commissioner knows that that's not the way  
5 we receive any feedback. And so I'm not paying any attention  
6 to it. Other members of the Zoning Commission may have also  
7 gotten emails as well.

8           CHAIRPERSON HOOD: Yeah. I think I --

9           COMMISSIONER MAY: The comments he made, they need to  
10 be made on the record.

11          CHAIRPERSON HOOD: Right.

12          You -- we're going to bring you up shortly. We have  
13 a process, Commissioner Amin. So you know, this is not our  
14 first rodeo. We know commissions have these issues. This  
15 is -- I got 24, and I think Commissioner May had 35. I don't  
16 know how many you have, Commissioner May. Vice Chair Miller  
17 and Commissioner Imamura. We have backgrounds too, so we know  
18 how to handle this. We know what's going to happen. So please  
19 do not run afoul of sending us something during this. But  
20 we'll -- you're on the list, I'm sure. Ms. Schellin let me  
21 know. That's what I was getting ready to get to.

22          But what I will say this, and I will -- I don't want  
23 us to go back and forth, because guess what, this Commission is  
24 going to go with zoning issues. Who struck John and how this  
25 happened, we don't get into that. So what we get into is

1 zoning issues, and we try to encourage everyone to continue to  
2 work together. We don't always agree. The four -- well, it  
3 used to be five of us. The four of us, we don't always agree,  
4 but we do it respectfully. So I would ask that we continue to  
5 keep the quorum. I'm going to have the quorum in this hearing,  
6 but I would ask that we continue to make sure that we respect  
7 each other.

8 All right. Ms. Schellin, could you tell me who the  
9 list -- people who are here to testify in support? Do we have  
10 a lot of support, opposition, or undeclared?

11 MS. SCHELLIN: I'll call the support first, and we'll  
12 see --

13 CHAIRPERSON HOOD: Okay.

14 MS. SCHELLIN: -- what we have.

15 CHAIRPERSON HOOD: Okay.

16 MS. SCHELLIN: If Mr. Young could take down DDOT and  
17 OP, then we'll -- that will make room for those.

18 So let me call the support first.

19 Daniel Schramm, Andrei Ponomarev. I'm sure I totally  
20 messed up that last name.

21 And let's see, Ra Amin. Nicole Clement. And that's  
22 all of the support.

23 CHAIRPERSON HOOD: Okay. Let's start with -- we get  
24 everybody up.

25 MS. SCHELLIN: And then there's only a couple more,

1 | if you want to try to get them all up.

2 |           CHAIRPERSON HOOD: Doesn't that usually cause a --

3 |           MS. SCHELLIN: Yeah.

4 |           CHAIRPERSON HOOD: Let's just do it like you did.

5 | Yeah.

6 |           MS. SCHELLIN: That's why when you said you wanted to  
7 | get them all, so.

8 |           CHAIRPERSON HOOD: I was thinking maybe three or  
9 | four, but obviously not.

10 |          MS. SCHELLIN: Yeah. No.

11 |          CHAIRPERSON HOOD: So Ms. Schellin, if you could call  
12 | their names for me, since I did not write the names down.

13 |          MS. SCHELLIN: Okay, sure.

14 |                 So I think we need to take Ms. Steingasser down too.  
15 | If we could take her down? Okay. All right.

16 |                 So first is Mr. Schramm, Daniel Schramm. And then --

17 |          MR. SCHRAMM: Hello?

18 |          MS. SCHELLIN: Yes?

19 |          MR. SCHRAMM: I'm seeing if I can get my video to  
20 | work.

21 |          VICE CHAIR MILLER: Don't we need to also take down  
22 | the ANC chairperson?

23 |          MS. SCHELLIN: I think since she gets to cross,  
24 | sometimes --

25 |          CHAIRPERSON HOOD: Right. I think we --

1 MS. SCHELLIN: It's easier to leave her up.  
2 CHAIRPERSON HOOD: -- leave her up.  
3 VICE CHAIR MILLER: She's authorized as a --  
4 CHAIRPERSON HOOD: She's the chairperson.  
5 MS. SCHELLIN: She's the chairperson.  
6 CHAIRPERSON HOOD: Chairperson.  
7 CHAIRPERSON HOOD: Yeah.  
8 VICE CHAIR MILLER: Okay. Any --  
9 MS. SCHELLIN: Chair and vice chair are always  
10 authorized.  
11 VICE CHAIR MILLER: Always authorized, even if they  
12 don't take a position, and even though if they're not, okay.  
13 MS. SCHELLIN: Right. They're always, per the Regs,  
14 they're the authorized.  
15 CHAIRPERSON HOOD: Automatically.  
16 MS. SCHELLIN: Yeah.  
17 CHAIRPERSON HOOD: And they get the blame everything.  
18 I know that from being a chair too, so.  
19 The vice chair does too. Vice Chair Miller, I just  
20 want you to know that. We both get the blame.  
21 VICE CHAIR MILLER: No, you can leave it to the  
22 chair.  
23 CHAIRPERSON HOOD: All right. Ms. Schellin, I'm  
24 going to let you -- there we go.  
25 Mr. Schramm, you can -- you may begin.

1 MR. SCHRAMM: Okay. Thank you.

2 Good afternoon, Commissioners. My name is Daniel  
3 Schramm, and I'm a resident of Brookland. I live on 12th  
4 Street, Northeast within the relevant single-member district  
5 and just a couple blocks from the proposed development. I am  
6 also the former President of the Brookland Neighborhood Civic  
7 Association, a position I stepped down from earlier this year  
8 after six and a half years. I was elected to the Board of BNCA  
9 in 2013 as vice president and became president in 2015. I was  
10 subsequently unanimously re-elected at each annual election  
11 until I decided not to run again in August of 2021.

12 I am here actually testifying in my personal  
13 capacity. BNCA did submit a comment letter in support on July  
14 8th, signed by our new president, Kathy Jacquart. I want to  
15 note that I do subscribe entirely to the views of the  
16 organization expressed in that letter.

17 It was just a few weeks after I announced my  
18 intention to step down that this project, which I believe is  
19 the first PUD in Brookland since the 901 Monroe project failed,  
20 came to -- came back to our doorstep in the form of a request  
21 to meet by Hanover's advance team. And I say "came back,"  
22 because the immediate neighbors, BNCA and our ANC, Ra Amin, had  
23 already had several meetings over the past few years with  
24 representatives of the owner of the properties, not Hanover,  
25 but the owner of the properties. And the representatives of

1 | the owner did make clear their interest in a strong community  
2 | engagement process and having the support of the community.

3 |           Over the course of these meetings that we held, we  
4 | developed a rough conceptual agreement on the nature and scope  
5 | of the project, that it would be mixed-use and feature a tiered  
6 | design that would not impose a massively tall structure  
7 | immediately adjacent to the existing residences. And this  
8 | general understanding did become reflected in the amended  
9 | Future Land Use Map in 2021.

10 |           After Hanover was selected as developer, they  
11 | approached Commissioner Amin, myself, and the immediate  
12 | neighbors to begin a more formal community process. That  
13 | process is detailed well in BNCA's support letter.

14 |           I do share this larger background, because I believe  
15 | it's important to emphasize the degree to which the property  
16 | owner and now Hanover has worked for years to engage the  
17 | community. While that process has not been perfect, it is  
18 | certainly far more than we typically experience, especially  
19 | when developers are able to build large projects "by right."  
20 | And as an example, you can see the Rowan building, just south  
21 | on Reed Street, which was built "by right" with minimum process  
22 | and in the face of pretty strong opposition from the community.

23 |           In part because of that process, this is a project  
24 | that enjoys a surprising degree of support from the immediate  
25 | neighbor -- residents. Many are not satisfied with the

1 existing industrial uses on these properties, and are concerned  
2 about traffic, safety, and public health issues presented by  
3 the current configuration. This proposal offers a raft of  
4 benefits to the community, from providing much needed  
5 affordable housing and ground level maker and community space  
6 within walking distance of the Metro, to infrastructure  
7 upgrades, traffic safety and environmental improvements, and  
8 financial support for several organizations' projects providing  
9 services in the immediate vicinity.

10           One thing I do want to emphasize, which is not in my  
11 written testimony, but I do want to point out is that traffic  
12 safety is of paramount concern for the community. The  
13 developer has offered a number of excellent ways to improve  
14 traffic safety around the project. We think, or I think it is  
15 essential that DDOT embrace those measures to -- or improve on  
16 them. And any weakening of those measures would be a real  
17 concern for myself and for others in the community that have  
18 been engaged in the project. For all these reasons, I think  
19 this is a project we're supporting, and I thank you for your  
20 time.

21           CHAIRPERSON HOOD: Thank you. Hold tight. We may  
22 have some questions.

23           Ms. Schellin, could you call the next person, please?

24           MS. SCHELLIN: Andrei?

25           MR. PONOMAREV: Yes. Hi, everyone. Can you guys

1 here me?

2 CHAIRPERSON HOOD: Yes, we can hear you.

3 MR. PONOMAREV: Okay, yes. My name is  
4 Andrei Ponomarev. I live at 2718 10th Street. I'm within 200  
5 feet, and my backyard is facing building IIA. And you know, my  
6 original statement -- and I wanted to say that I'm in support  
7 of the project. My original statement was very similar to what  
8 Dan just laid out. You know, I do want to address some  
9 additional important points, though.

10 You know, the neighbor involvement on this project  
11 started very early. It was early 2020 when the original  
12 outreach from the landowner happened. You know, at the moment,  
13 Hanover was not yet part of the deal, so it was just landowner  
14 and their initial developer, sort of specialists in trying to  
15 reach out to the community to negotiate with the community.

16 At that time, you know, there's a -- a very strong  
17 kind of neighbor group has formed, right? It's a -- our block  
18 is a pretty small block. It's only 36 homes, and two-story  
19 homes, historic. So we were all very much together. And we,  
20 two sides, Reed and 10th Street, Evarts, I'm sorry, and 10th  
21 Street, and we really got all of the neighbors involved.  
22 Everyone on the block knows what's going on. And that started  
23 back then in '20. And that kind of continued, you know, we  
24 originally were focusing our efforts on the Comp Plan. There  
25 was an amendment proposed by the developer to kind of go very

1 tall. And, you know, we didn't think it was fitting into the  
2 kind of scale of the neighborhood. So we worked most of the '20  
3 and '21 on, you know, with OP, with -- with developer with  
4 Kenyan McDuffie office, councilmember to basically kind of  
5 advocate for a more scaled development. So we were successful  
6 in that and then Hanover came on board. And so, by the time  
7 they came on board, we already had a very strong group of  
8 neighbors ready to basically -- to negotiate and deal with the  
9 project. And we started right away. It was in October of last  
10 year. There was a -- it started with a large in-person meeting  
11 of all the neighbors. So everyone got together in the parking  
12 lot. You know, a lot of people attended from the block. So,  
13 you know. And from that point on, we had a number and  
14 numerous, numerous, numerous meetings with neighbors, kind of  
15 smaller formats, larger formats. We had BNCA meetings. And  
16 the reason we went to BNCA, because BNCA is pretty much the  
17 same constituency as B0 -- 5B04. It's -- I'll tell you, it's  
18 much more organized and as -- organization, and much more, you  
19 know, productive than the larger ANC, unfortunately.

20           So the same constituency, and, you know, a lot of  
21 people living in the neighborhood. So we really got a very  
22 good response and got a very good process out of that. And we  
23 started having these meetings, so SMD, meetings started coming  
24 out. Invites started coming out to -- to the official SMD  
25 email lists and distributions. And all of those, of course, go

1 to other commissioners. So all the commissioners were aware of  
2 the project and what was going on. The first presentation of  
3 the project to the ANC was in October of last year. So  
4 Commissioner -- Chair Carley didn't get that right, as  
5 documented by agenda and the minutes to the -- to that meeting.

6 So and then the conversation continued, continued and  
7 continued and, you know, very much involved community at large.  
8 We got other community members from a few blocks outside, you  
9 know, was -- joined the project and joined the discussion, and  
10 some of them may be testifying later, you know, started  
11 representing kind of the traffic concern for all of the schools  
12 that are aligning along Franklin, right. So making sure that  
13 the scale of the transportation improvements are taking into  
14 account the children, the school children and traveling up and  
15 down. So it was a very community engaged and community  
16 involved process. So we're, you know, we're very proud of  
17 that.

18 And, you know, as you've all have -- many have noted,  
19 it is evident in the amount of support that we currently have.  
20 Unfortunately, our ANC is really not very functioning. There's  
21 a lot of very kind of petty infighting in our ANC. It's just,  
22 you know, there is specifically, I will be very honest, because  
23 I --

24 CHAIRPERSON HOOD: Okay. Hold one -- hold tight.  
25 Hold tight.

1 MR. PONOMAREV: Yeah.

2 CHAIRPERSON HOOD: Hold tight.

3 Commissioner --

4 COMMISSIONER MAY: Yeah, if I can interrupt for a  
5 second. The clock didn't start for Mr. Ponomarev's testimony,  
6 and he's well past the three minutes.

7 So I was just going to suggest that you might want to  
8 give us a closing thought.

9 MR. PONOMAREV: Okay.

10 CHAIRPERSON HOOD: Yeah, give us your closing  
11 thought, please.

12 MR. PONOMAREV: I just want to say that I disagree  
13 with representation of Commissioner -- Chair Carley. You know,  
14 the project was well known and presented to the SMD and to the  
15 ANC. A lot of people knew about it. All of the neighbors knew  
16 about it. Everything was the -- advertised through the  
17 official channels. Anyone who wanted to participate,  
18 participated. So I'll stop at that.

19 CHAIRPERSON HOOD: Okay. Thank you.

20 Let me remind everyone that this is a Zoning  
21 Commission hearing. This is not an ANC meeting, not a civic  
22 meeting. I appreciate -- we look at the -- about zoning. We  
23 look at traffic, adverse impacts, something that you all may  
24 want to change from a zoning perspective. How the meeting  
25 went, what happened, who -- whatever perspective anyone had,

1 that's really not of any -- it's nothing in the Regulations  
2 that says see what perspective someone has. What it says is,  
3 cannot have -- not be inconsistent with the Comp Plan. And it  
4 also says address adverse impacts.

5           So let me just say this to the community. And I  
6 realize all ANCs, civic associations all operate differently.  
7 We're all passionate about what's going on in our neighborhood.  
8 But one thing I do know, whether it be ANC 5B or any ANC in  
9 this City, we all want to go from one point to the other point,  
10 we just may have different streets of how we get there. Okay?  
11 And I'll just leave it at that.

12           So I'm -- help us to help you all see it your way.  
13 If you don't have anything to say -- and normally, typically, I  
14 don't say anything, but I don't want this to go too far. I let  
15 people come down and say whether it's germane to us or not.  
16 But I think when we start doing personal attacks and talking  
17 about who didn't understand this and who don't understand that,  
18 and I'm not talking just to the last speaker. I understand he  
19 was trying to give us his perspective. But this is a zoning  
20 hearing. We talk about zoning, land use. Let's talk about the  
21 land use. Let's not talk about who came to the meeting, what  
22 time they came, who cut their camera off, who cut the -- come  
23 on now. Let's be bigger than that. This City has come a long  
24 way, and -- and let me just tell this to you all so we all  
25 know. This project and doing something here didn't just saw

1 | recently, it started when I was a kid. Okay. And I'll leave  
2 | it at that.

3 | All right. Ms. Schellin, can you call the next  
4 | person please?

5 | MS. SCHELLIN: Yes. The next person is going to be  
6 | Ra Amin, and he is going to be -- we could only unmute him. He  
7 | could not be brought up for some reason.

8 | CHAIRPERSON HOOD: Okay. Now, Commissioner Ra Amin's  
9 | coming up. Do we have anybody else?

10 | MS. SCHELLIN: Yes. Nicole Clement.

11 | CHAIRPERSON HOOD: Let's bring up all -- Yeah, let's  
12 | bring all of them up. We only have three or four left, right?

13 | MS. SCHELLIN: Yeah. Nicole Clement is already up,  
14 | and Ra Amin is next though.

15 | CHAIRPERSON HOOD: All right.

16 | MS. SCHELLIN: This is just the proponents.

17 | CHAIRPERSON HOOD: Okay. All right.

18 | MS. SCHELLIN: All right.

19 | MR. AMIN: Good evening --

20 | CHAIRPERSON HOOD: Commissioner, go right ahead.

21 | MR. AMIN: Good evening, Chair Hood and Commission.

22 | Audio check. Can everyone hear me okay?

23 | COMMISSIONER MAY: Yes.

24 | CHAIRPERSON HOOD: Just fine. We can hear you loud  
25 | and clear.

1 MR. AMIN: That's great. Great. So as it been -- as  
2 it has been stated, I am the Commissioner of 5B04, the area  
3 where this project is slated to be developed. And everything  
4 that I was going to say has already been said about the project  
5 and the support from the community. I will say that ANC -- ANC  
6 5B04, I believe we ran a model or, you know, a model process in  
7 bringing in the ANC, the Civic Association and 200-footers, and  
8 the broader community. Everyone was welcomed, and every idea  
9 was considered by the whole. I will conclude by saying that I  
10 received no written opposition from any anyone about the  
11 Hanover project. And on behalf of the 5B04 constituents, I  
12 think that we have very, very strong support for this to be  
13 developed.

14 CHAIRPERSON HOOD: All right. Thank you,  
15 Commissioner. Thank you.

16 Ms. Schellin, who's next? Ms. Clement?

17 MS. CLEMENT: Yes, happy to. Hi.  
18 Nicole Muryn Clement. I am on the 900 block of Evarts, so my  
19 property also backs up to this project, such as the other  
20 street that does from Andrei.

21 I overall support this project, and I'm really  
22 excited about the path it's taken over the last several years.  
23 As others have discussed, this started upon -- or my  
24 participation started upon seeing the Mayor's draft edits to  
25 the Future Land Use Map and engaging at that point in time as

1 to what the neighbors wanted. Because of the situation with  
2 COVID, it was done all remotely, but reached out through  
3 printed flyers and kept a lot of neighbors informed so that we  
4 could come to agreement, at least in the initial standpoint of  
5 what our proposed amendments to the Future Land Use Map would  
6 be. And then once that was adopted, you know, really  
7 continuing that work with Hanover and through the development  
8 to where we are today.

9           It's been a very collaborative process and I think  
10 has leveraged a lot of different tenants that were within kind  
11 of the development standpoint. We're excited about how it  
12 blends in with the community, in the sense of the density being  
13 higher and closer to the Metro, and then lowering and really  
14 blending with the surrounding row homes. We're also excited  
15 about the ability to -- for the individuals that live in those  
16 properties to be able to walk out and be part of our community  
17 and not in a separate situation. And that'll help continue to  
18 build this part of the Brookland neighborhood.

19           And overall, as others have mentioned, pedestrian  
20 safety and traffic calming is very important to us and to the  
21 neighbors. We currently have very dangerous intersections and  
22 a particularly dangerous alley, so we're excited about the  
23 approvals that have come through through transportation. That  
24 is really what I wanted to highlight today. Overall supportive  
25 of this project and of the process. Thank you for the time.

1 CHAIRPERSON HOOD: Okay. Thank you.

2 Ms. Schellin, what I forgot to do was any cross. I  
3 forgot to cross everybody. I don't think I called for it, did  
4 I? Okay. So --

5 MS. SCHELLIN: They -- this panel just now finished.  
6 So now it's time for the --

7 CHAIRPERSON HOOD: What --

8 MS. SCHELLIN: -- Commissioner to ask for cross.

9 CHAIRPERSON HOOD: No, what about the panel before  
10 this one?

11 MS. SCHELLIN: There was no panel before them. This  
12 is the first panel. This is everybody, proponents. They are  
13 still all up.

14 CHAIRPERSON HOOD: Oh, okay. Well, I thought we took  
15 them down. Okay. All right.

16 MS. SCHELLIN: No.

17 CHAIRPERSON HOOD: All right. Thank you. So I -- I  
18 didn't think I made a mistake. That would have only been the  
19 first one I made this year.

20 MS. SCHELLIN: First one for the year.

21 CHAIRPERSON HOOD: Yeah, right. I say that all the  
22 time, so that's starting to mount up. All right. So with  
23 that, so that's all support, right?

24 (No audible response.)

25 CHAIRPERSON HOOD: Okay. So do we have any -- my

1 | colleagues have any questions for any of the panelists who just  
2 | spoke?

3 | Commissioner May?

4 | (No audible response.)

5 | Commissioner Imamura?

6 | (No audible response.)

7 | And Vice Chair Miller?

8 | VICE CHAIR MILLER: No.

9 | Thank you all for your testimony.

10 | CHAIRPERSON HOOD: I don't have any either as well.

11 | But thank you all for what you do. Continue to keep doing it,

12 | and let's continue to work together. So thank you very much.

13 | Does the Applicant have any questions or cross?

14 | Ms. Shiker?

15 | MS. SHIKER: I do not. Thank you.

16 | CHAIRPERSON HOOD: Okay. Thank you.

17 | All right. I think I --

18 | Oh, the ANC.

19 | Does the ANC, Chairperson Carley, do you have any

20 | cross?

21 | (No audible response.)

22 | CHAIRPERSON HOOD: I don't see her. Did we take her

23 | down?

24 | MS. SCHELLIN: She was left up. Let me see if she

25 | left.

1 CHAIRPERSON HOOD: You don't see her?

2 MS. SCHELLIN: It appears she has signed off.

3 CHAIRPERSON HOOD: Yeah. Okay. All right. All we  
4 can do is keep going. I guess Ms. Carley may not have had any  
5 questions. Okay.

6 Thank you, everybody.

7 Ms. Schellin, would you call the rest up who are  
8 coming?

9 MS. SCHELLIN: Yes, I will. So let's see.  
10 Joshua Beatty is undeclared. And let's see who else is left.  
11 And that's actually our only other one.

12 CHAIRPERSON HOOD: Okay.

13 Joshua Beatty, you will have the last word. Well,  
14 the last word for witnesses. You may begin.

15 MR. BEATTY: Thank you very much, members of the  
16 Zoning Commission for the opportunity to testify. I hope I  
17 won't keep you too much later in the evening. I originally  
18 moved to Ward 5 in 1997. I live in and have been a homeowner  
19 within the single-member district since 2011. I am a  
20 200-footer for the Hanover Reed Street project. In fact, my  
21 backyard will basically be the loading dock of phase IIA.

22 I'd like to first note for the Commission that the  
23 photos in Hanover's presentation today edit out -- edited out  
24 the solar panels of about a half dozen homes on 10th Street. I  
25 know a solar panel study was done, and I appreciated it, but I

1 | did not appreciate the solar panels being edited out of today's  
2 | presentation, as I do feel like that brings to fore adverse  
3 | impact to the neighbors that's, you know, being edited out.

4 |           But otherwise, I generally support the PUD, but I  
5 | have strong concerns about a lack of facilities for pets,  
6 | especially dogs. I know a dog park was considered early on,  
7 | but rejected apparently due to cost. I want to bring to the  
8 | fore that according to the ASPCA, there was a 20 percent  
9 | increase in pet ownership during the pandemic. And we see this  
10 | firsthand on Reed Street. The new buildings, the Rowan, and  
11 | the Brookland Press have significant animal waste pollution  
12 | that has already killed several trees that they've planted, and  
13 | the property around both buildings permanently smells of animal  
14 | excrement. So I want to ask the Commission and the DPW to  
15 | reconsider the lack of need for appropriate animal waste  
16 | facilities in the developments that are this large. I want to  
17 | ask and ensure that Hanover Reed Street is a good neighbor by  
18 | having adequate facilities for pets, or is required within  
19 | their leases to ban pets in the development.

20 |           I have another minute, so further, I strongly support  
21 | the efforts of our neighbors, and I really appreciate what  
22 | they've done, especially Mr. John Leibovitz and others to  
23 | (indiscernible) efforts at traffic calming. Hanover's study  
24 | showed that over 500 cars a day cut through the 10th Street  
25 | alley to make a left turn on Franklin. Several of those cars

1 | were clocked going 40 miles an hour in the alley. It's  
2 | basically a racetrack back there. So we must have the traffic  
3 | calming measures in the alley, including speed tables, the  
4 | raised crosswalks, the right in, right out, the bollards that  
5 | harden the center of Franklin Street. The metered light on  
6 | Reed Street is critical, and we've got to have speed cameras on  
7 | the bridge to reduce the speed. The middle lane is used as a  
8 | speeding/passing lane on the bridge. So I really ask the  
9 | Commission and DDOT to work in good faith with the community to  
10 | develop all those safety measures. Please don't walk any of  
11 | them back.

12 |           I thank you for your time and consideration as well  
13 | as the opportunity to testify before the Commission. Have a  
14 | good night.

15 |           CHAIRPERSON HOOD: Thank you, Mr. Beatty.

16 |           I will say to the Applicant, because I know that they  
17 | have a good faith from what I've seen in the work of how we've  
18 | gotten here, Mr. Beatty, brings up some good points, and I  
19 | would ask you all will work with him, Ms. Shiker and others, to  
20 | try to deal with that issue. Because I understand that that  
21 | could possibly be -- we create some other problems there. So  
22 | hopefully everybody can work together on that issue as well.

23 |           Ms. Schellin, you have something for us?

24 |           MS. SCHELLIN: Yes. Commissioner Costello sent an  
25 | email saying he'd like to testify. I -- he did not sign up,

1 | so --

2 | CHAIRPERSON HOOD: Commissioner Costello? I think  
3 | it's a lady. Is that a --

4 | MS. SCHELLIN: It's a lady? Okay.

5 | CHAIRPERSON HOOD: Yeah.

6 | MS. SCHELLIN: I'm sorry.

7 | CHAIRPERSON HOOD: I think now.

8 | MS. SCHELLIN: She --

9 | CHAIRPERSON HOOD: Yeah, I'm pretty sure it is.

10 | MS. SCHELLIN: Okay.

11 | CHAIRPERSON HOOD: Yeah, let's bring up -- let's  
12 | bring up -- bring her up.

13 | MS. SCHELLIN: Commissioner Costello, yes.

14 | CHAIRPERSON HOOD: All right.

15 | MS. SCHELLIN: We could -- if I could swear her in  
16 | very quickly since she didn't sign up.

17 | CHAIRPERSON HOOD: Okay. Sure. Go right ahead. Go  
18 | right ahead.

19 | MS. SCHELLIN: Could you turn your camera on, Ms.  
20 | Costello?

21 | MS. COSTELLO: Okay. Can you hear me and see me?  
22 | I'm on Wi-Fi --

23 | MS. SCHELLIN: Yes.

24 | MS. COSTELLO: -- so hopefully it doesn't cut out.

25 | MS. SCHELLIN: All right.

1 MS. COSTELLO: -- like it did earlier --

2 MS. SCHELLIN: Could you -- could -- since you didn't  
3 sign up and take the oath, could you raise your right hand,  
4 please?

5 MS. COSTELLO: Of course.

6 MS. SCHELLIN: Do you solemnly swear or affirm the  
7 testimony you give this evening will be the truth, the whole  
8 truth and nothing but the truth?

9 MS. COSTELLO: I do.

10 MS. SCHELLIN: Thank you. Go ahead.

11 MS. COSTELLO: Thank you. I did submit written  
12 testimony as well, but I just wanted to supplement that  
13 submission with a few comments, having had the opportunity to  
14 listen to the testimony and the Commission's questions, which I  
15 think have been very excellent so far. And I apologize for the  
16 background noise. You can hear the cicadas who are rooting in  
17 support of this project along with me.

18 I had the opportunity to engage with my constituents  
19 over the course of several months. I think the first  
20 introduction that I had to this project was last fall. I  
21 think, as Andrei mentioned, I believe that was in October of  
22 2021.

23 When the full project was presented to the ANC in  
24 January 2022 for our consideration, I worked with my colleague,  
25 Commissioner Piekara, to host a meeting with Hanover and all of

1 | our constituents and other interested residents to hold a  
2 | public meeting, so we could learn more about the project, the  
3 | community benefits agreement, and ask questions. And as I  
4 | noted in my written statement, traffic safety has been the  
5 | predominant concern for residents here. And I want to commend  
6 | Hanover and members of the community for working so diligently  
7 | to try and address the community's concerns.

8 |           And I feel very comfortable now with the proposal  
9 | that Hanover has submitted. I think it addresses all of the  
10 | concerns or nearly all of the concerns that members of the  
11 | community have with respect to traffic calming. And I really  
12 | do hope that DDOT will take those requests seriously and think  
13 | broadly about all of the ways that it can make these streets  
14 | and alleys safe for the immediate neighbors and for other  
15 | residents who might want to visit the makerspaces in this new  
16 | development.

17 |           I also want to note, too, you know, I -- we talked  
18 | about community engagement a lot during the meeting and in  
19 | other testimony here. Our ANC doesn't have any specific rules  
20 | as to how we engage with our constituents. And so, you know, I  
21 | think Commissioner Amin did engage with his community. And I  
22 | think we've heard that point reiterated over and over from his  
23 | constituents tonight. And I want to also share that sentiment  
24 | that I feel like I had the opportunity to meet with his  
25 | residents and Hanover and other people who had concerns,

1 | questions, and comments about this project. So I feel like it  
2 | was a very robust engagement process. And, you know, I have to  
3 | say, it's probably one of the better engagement processes that  
4 | I've been a part of as a commissioner. And I will add as well,  
5 | you know, in terms of having the opportunity to ask questions  
6 | of Hanover, they were very thorough in their responses, and,  
7 | you know, they kind of went into the weeds. So, you know, you  
8 | saw earlier in the hearing that Hanover said -- had met with  
9 | members of the community, the ANC, the SMD, I think, more than  
10 | 20 -- in 20 different meetings. That doesn't reflect all of  
11 | the phone calls that Hanover had with residents and  
12 | commissioners, like myself. So there was actually much more  
13 | engagement that went on, in addition to those public meetings  
14 | that, you know, we had the benefit of.

15 |           So I really strongly urge the Zoning Commission to  
16 | approve this project. And like I said, I hope DDOT will take  
17 | the recommendations that we have all made collectively with  
18 | respect to traffic safety to heart, so that we can make this a  
19 | really phenomenal project, both in terms of the development,  
20 | the inclusionary zoning units, the makerspaces, the public  
21 | benefits that benefit the immediate and surrounding  
22 | communities, as well as traffic safety in the neighborhood.  
23 | Thank you so much for considering my testimony. I appreciate  
24 | it.

25 |           CHAIRPERSON HOOD: Thank you, Commissioner Costello,

1 for taking the time to come down. And continue to keep doing  
2 good work that I know you all do over in 5B. So continue to  
3 keep working together and doing the great work you're doing.

4 Let's see if we have any questions or comments.

5 Commissioner May?

6 COMMISSIONER MAY: I just had a quick question for  
7 Mr. Beatty. Is he still available to us?

8 CHAIRPERSON HOOD: I think I called for them already.

9 MR. BEATTY: I'm still here.

10 CHAIRPERSON HOOD: Oh, he's still here.

11 COMMISSIONER MAY: You are still there. Okay. So I  
12 was a little bit concerned about what you were saying about  
13 solar panels being edited out. Maybe the Applicant wants to  
14 clarify whether, in fact, they did that. But are you concerned  
15 that there's actually an impact from this project on solar  
16 panels?

17 MR. BEATTY: We've -- we did definitely participate  
18 in a study, and I appreciate the time that Hanover put into  
19 that study. I have reviewed the study in detail. There's,  
20 according to their numbers, only one house that has more than  
21 5 percent impact, and they have negotiated, I think, something  
22 with that house. I do feel like it understates the impact.  
23 But I am not a scientist, I'm only a person who has solar  
24 panels and studies the data on my own house and production. So  
25 that is my concern.

1 My biggest concern is, if you look at the photo, in  
2 their presentation, all of the -- none of the houses have solar  
3 panels. And that that was a big concern, because there are a  
4 lot of solar panels on that house. So that photo had to be at  
5 least five or six years old.

6 COMMISSIONER HOOD: It's certainly possible. I mean,  
7 if you look at it -- that area in Google Maps, you won't see  
8 any solar panels. So --

9 MR. BEATTY: Commissioner, I beg to disagree. If you  
10 look at -- if you look at Google Maps seven years ago --

11 COMMISSIONER MAY: Oh, well, I'm looking -- I'm  
12 looking at it -- I looked at it tonight. I looked at it now.  
13 I don't see any. So maybe my date -- maybe my Google Maps is  
14 out of date for some reason. So it's not surprising at all  
15 that they might have out of date data. So anyway, we -- the  
16 Applicant can answer the question whether they actually  
17 manipulated the photos. I would be very disappointed if they  
18 did. I would also be very surprised if they actually did. But  
19 the more important thing is that you looked at the study, and  
20 you reported that information to us, so I appreciate that.  
21 Thank you.

22 MS. SHIKER: Commissioner May, if we could just  
23 respond very quickly.

24 MR. GORDON: Yes. We've just been discussing with  
25 our architects. It is a Google Earth image. It is an older

1 Google Earth image, but I believe it's the one just available  
2 on Google Earth. It was probably pulled toward the end of last  
3 year, and we've probably been using the same aerial ever since.  
4 It's possible that there is a newer image. We absolutely not  
5 whatsoever manipulated the Google Earth image. It's just that  
6 --

7 COMMISSIONER MAY: Okay. Thank you. Thank you for  
8 clarifying that. That's it for my questions.

9 MR. BEATTY: The buildings aren't there.

10 CHAIRPERSON HOOD: Thank you.

11 Commissioner Imamura, any questions?

12 (No audible response.)

13 CHAIRPERSON HOOD: Okay.

14 Vice Cahir Miller?

15 VICE CHAIR MILLER: No.

16 Thank you all for your testimony.

17 CHAIRPERSON HOOD: I don't have any questions as  
18 well. Thank you all as well and we appreciate that -- continue  
19 to do the community's work and to work with the community, so  
20 thank you.

21 All right. Ms. Shiker, I don't know how much we --

22 Ms. Schellin, we don't have anybody else do we?

23 Oh, is the chairperson of the ANC have any cross? I  
24 mean any questions?

25 (No audible response.)

1 CHAIRPERSON HOOD: Okay. I have to call for her,  
2 even though she may have left.

3 MS. SCHELLIN: Let me see if she's come back. Let me  
4 double-check just to make sure. Nope.

5 CHAIRPERSON HOOD: Okay.

6 All right. Ms. Shiker, I don't know how much  
7 rebuttal you have, but you may -- I'll turn it over to you for  
8 rebuttal and closing.

9 MS. SHIKER: Chairman Hood, members of the  
10 Commission, thank you. I don't believe that we have any direct  
11 rebuttal. I believe we've answered the questions as they come  
12 up.

13 We would say that we are very pleased with how this  
14 process has gone. We do you feel that, you know, substantive  
15 changes came following that meaningful impact. Apart from the  
16 --

17 CHAIRPERSON HOOD: Ms. Schellin, you might want to  
18 must.

19 Hold on one second.

20 MS. SHIKER: Okay.

21 CHAIRPERSON HOOD: Ms. Schellin, you may want to  
22 mute.

23 MS. SCHELLIN: Sorry.

24 CHAIRPERSON HOOD: I heard you say something about  
25 me.

1           Okay. Ms. Shiker.

2           MS. SHIKER: I'm sorry. So again, we do believe that  
3 the project has become better based on all of our community  
4 input. We do believe that the project does satisfy the  
5 standards for approval of a PUD. It's not inconsistent with  
6 the Comprehensive Plan. The benefits and amenities outweigh  
7 any potential adverse impacts. Many of the impacts are  
8 positive, and the development incentives are well balanced. So  
9 we would ask that the Commission consider taking this for  
10 proposed action at their earliest convenience. And we thank  
11 you for your time tonight. And we apologize, again, for our  
12 technical problems at the beginning of the evening.

13           CHAIRPERSON HOOD: Okay. No problem. And thank you  
14 all for --

15           Let me thank the Applicant as well as the ANC and the  
16 community for all the collaboration. I think that it makes a  
17 easier hearing, even though we had a few just little hiccups,  
18 which are very minor from what we have seen. But normally this  
19 type of hearing, I think is very -- shows a success when you  
20 continue to do community outreach. And I didn't see -- hear  
21 anything really hardcore. I just heard a community which --  
22 maybe we asked for opposition. I was looking for opposition,  
23 because typically, there are a lot more concerns. So this says  
24 a lot about the work that everyone has done. So we really  
25 appreciate it. I think it makes our jobs a lot easier.

1           Let me ask my colleagues if they have any questions  
2 or comments? I don't know what all we've asked for. I know  
3 there's some outstanding things. I think that was resolved.  
4 But let me just ask, kind of get a feel for where we think we  
5 are.

6           This is two-vote case, right, Ms. Schellin?

7           (No audible response.)

8           CHAIRPERSON HOOD: Okay. Let me hear from everyone.  
9           Commissioner May?

10          COMMISSIONER MAY: Yeah, I'd be prepared to move  
11 forward tonight. There were some minor questions and such that  
12 the Applicant might want to respond to between taking proposed  
13 and final action. But I don't see any reason not to move  
14 forward today. There's remarkably little that's unresolved  
15 about this.

16          CHAIRPERSON HOOD: Okay.

17          Commissioner Imamura?

18          COMMISSIONER IMAMURA: I'm prepared to move forward,  
19 Mr. Chairman. And, you know, just continue to encourage the  
20 Applicant to take a closer look at the public space. See what  
21 improvements they can make between now and final action.

22          CHAIRPERSON HOOD: Okay.

23          And Vice Chair Miller.

24          VICE CHAIR MILLER: Thank you, Mr. Chairman. Yes, I  
25 concur that we should move forward with proposed action this

1 evening and have the Applicant respond to any of the  
2 outstanding questions or concerns that fellow commissioners or  
3 the public has raised between any proposed action, if we take  
4 it this evening, and final. This is an exciting project with a  
5 lot of benefits and amenities. And I think it's important to  
6 keep the momentum going, especially since we're about to go  
7 into a recess period, so there's time to respond before final.

8 CHAIRPERSON HOOD: Okay, thank you both.

9 I would agree. I think that the record speaks for  
10 itself. I think the record is clear. I think we have evidence  
11 in this record, which is the submissions as well as the  
12 testimony tonight, that this warrants our approval. I think  
13 the Applicant has met the standards of the Planned Unit  
14 Development with a few tweaks that we may have asked for them  
15 to tweak. And I think this was very well done.

16 So with that, I would move approval of Zoning  
17 Commission Case No. 22-04, Hanover R.S. Limited Partnership,  
18 consolidated review and approval of a Planned Unit Development  
19 and zoning map amendment at Square 3846, Lots 38, 825, 829,  
20 832, 833 and Square 3841, Lot 834 on Reed Street as requested  
21 and ask for a second.

22 COMMISSIONER MAY: Second. And Mr. Chairman, I just  
23 wanted to say you need to read a little bit faster to keep up  
24 with Ms. Shiker. You know, she could have done that in --

25 CHAIRPERSON HOOD: Well, next time I'll make the

1 motion and let her recite all that, and then I'll -- we'll just  
2 second. Okay. That's -- well, there's always ways to work it  
3 out.

4 COMMISSIONER MAY: Okay.

5 CHAIRPERSON HOOD: Okay. It's been moved and  
6 properly seconded.

7 Any further discussion?

8 (No audible response.)

9 CHAIRPERSON HOOD: Okay, Ms. Schellin, would you do a  
10 roll call vote, please?

11 MS. SCHELLIN: Yes.

12 Commissioner Hood?

13 COMMISSIONER HOOD: Yes.

14 MS. SCHELLIN: Commissioner May?

15 COMMISSIONER MAY: Yes.

16 MS. SCHELLIN: Commissioner Imamura?

17 COMMISSIONER IMAMURA: Yes.

18 MS. SCHELLIN: Commissioner Miller?

19 COMMISSIONER MILLER: Yes.

20 MS. SCHELLIN: The vote is four to zero to one to  
21 approve proposed action in Zoning Commission Case No. 22-04,  
22 the minus one being the third mayoral appointee position.

23 Let me just remind Ms. Shiker to, per the  
24 Regulations, to go through the proffers and benefits process,  
25 the first filing being due in seven days. So besides that, the

1 additional information that was requested this evening by the  
2 Commission, if you could, since we do have a recess, and most  
3 of the ANCs, like us, take a recess, if you could provide that  
4 information by August 29th, and then we'll allow the ANC -- do  
5 you know when the ANC meets again in August, September?

6 MS. SHIKER: They typically meet the third Wednesday.

7 MR. GORDON: The fourth Wednesday.

8 MS. SHIKER: No, I'm sorry, the fourth Wednesday of  
9 the month. I'm looking (indiscernible).

10 MS. SCHELLIN: Well, that would be the 28th.

11 CHAIRPERSON HOOD: I think you're right, the fourth  
12 Wednesday.

13 MS. SCHELLIN: Which is the day before our meeting,  
14 so the last meeting in September. So we may have to put you  
15 guys off until October.

16 CHAIRPERSON HOOD: They can give it to us the day of,  
17 right?

18 MS. SCHELLIN: Yeah, we'll give them until October  
19 6th to provide their response to the submissions and OP and  
20 DDOT if they have any. If you could just reach out to the ANC  
21 and let them know that they have until then. I know that there  
22 may be one or two who are still listening, but the chairman, I  
23 don't see on there anymore. But if you could let the ANC know  
24 they have until October 6th, 3:00 p.m. to respond. And then  
25 we'll take this up at the October 13th meeting. And draft

1 findings of fact and conclusions of law also due October 6th.

2 CHAIRPERSON HOOD: Okay. Are we all on the same  
3 page?

4 MS. SHIKER: Yes. And we'll make sure --

5 CHAIRPERSON HOOD: Thank you.

6 MS. SHIKER: And we'll make sure to tell the ANC  
7 about the October 6th when we -- we'll remind them when we file  
8 the filing on August 28th, I think it is.

9 MS. SCHELLIN: Yes.

10 MS. SHIKER: And thank you very much --

11 MS. SCHELLIN: Yes.

12 MS. SHIKER: -- for your consideration.

13 CHAIRPERSON HOOD: Okay. Thank you.

14 Ms. Schellin, we only -- I want to announce July 25th  
15 we have a hearing, but we only have one case, I believe. I  
16 thought the other one -- I thought the first one got cancelled.

17 MS. SCHELLIN: No, they're -- they are both on. This  
18 is 22-03 and 04-08G.

19 CHAIRPERSON HOOD: Okay.

20 MS. SCHELLIN: I think you're thinking 22-07, which  
21 got moved.

22 CHAIRPERSON HOOD: Okay. I thought -- okay.

23 MS. SCHELLIN: Yeah.

24 CHAIRPERSON HOOD: So anyway, the Zoning Commission  
25 will meet again July the 25th, 2022. We have two cases on the

1 docket: Zoning Commission Case 04-08G/02-45, WMATA, on behalf  
2 of Department of General Services, as well as Zoning Commission  
3 Case No. 22-03, WSP 1207 H Street, LLC, again, July 25th, this  
4 coming Monday. And we will be on these same platforms, the  
5 same time at 4:00 p.m.

6 I want to thank everyone for their participation  
7 tonight in this hearing. Very well done to all -- everyone  
8 involved. We greatly appreciate it. And with that, this  
9 hearing is adjourned, and have a great weekend.

10 (Whereupon the above-entitled matter went off the  
11 record at 7:06 p.m.)

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C E R T I F I C A T E

This is to certify that the foregoing transcript

In the matter of: Public Hearing

Before: DCZC

Date: 07-21-22

Place: Teleconference

was duly recorded and accurately transcribed under my  
direction; further, that said transcript is a true and  
accurate record of the proceedings.

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GARY EUELL