

GOVERNMENT OF
THE DISTRICT OF COLUMBIA

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ZONING COMMISSION

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PUBLIC HEARING

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 IN THE MATTER OF: :
 :
 New Macedonia Baptist Church : Case No.
 Map Amendment from R-18 to : 21-14
 MU-4, 2026 Jackson St., NE :
 (Sq. 4220, Lot 802), Ward 5 :
 -----:

MONDAY

SEPTEMBER 19, 2022

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The Public Hearing of Case No. 21-14 by the District of Columbia Zoning Commission convened via videoconference at 4:00 p.m. EDT, Anthony J. Hood, Chairman, presiding.

ZONING COMMISSION MEMBERS PRESENT:

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

OFFICE OF ZONING STAFF PRESENT:

SHARON SCHELLIN, Secretary
PAUL YOUNG, Zoning Data Specialist

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OFFICE OF PLANNING PRESENT:

JENNIFER STEINGASSER
CRYSTAL MYERS

OFFICE OF ZONING LEGAL DIVISION STAFF PRESENT:

DENNIS LUI, ESQUIRE

The transcript constitutes the minutes from the
Public Hearing held on September 19, 2022

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(4:00 p.m.)

CHAIRPERSON HOOD: Good afternoon, ladies and gentlemen. Today's date is September 19, 2022. We are convening and broadcasting this public hearing by video conferencing. My name is Anthony Hood, and I'm joined by Vice Chair Miller, Commissioner Imamura, and Commissioner May. We're also joined by the Office of Zoning staff, Ms. Sharon Schellin and Mr. Paul Young, who will be handling all of our virtual operations, and the Office of Zoning Legal Division counsel, Mr. Lui. I will ask others to introduce themselves at the appropriate time.

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

All persons planning to testify should have signed up in advance and will be called by name at the appropriate time. At the time of sign up, all participants will complete the oath or affirmation required by Subtitle Z, 408.7. Accordingly, all those listening on Webex or by phone will be muted during the hearing and only those who have signed up to participate or testify will be unmuted at the appropriate time. When called, please state your name and home address before providing your testimony. When you are finished speaking, please mute your

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

7 The hearing will be conducted in accordance with
8 provisions of 11Z, DCMR Chapter 4 as follows: preliminary
9 matters; Applicant's case. The Applicant has up to 60 minutes,
10 and we definitely don't need 60 minutes in this particular map
11 amendment; report of the Office of Planning and the Department
12 of Transportation; the report of other government agencies; the
13 report of the ANC. In this case, it's ANC 5C. Testimony of
14 organizations, five minutes, and individuals, three minutes. And
15 we will hear in the following order from those who are in support,
16 opposition, and undeclared. Then we will have rebuttal and
17 closing by the Applicant.

18 The subject of this evening's case is Zoning Commission
19 Case No. 21-14. This is the New Macedonia Baptist Church Map
20 Amendment at Square 4220, Lot 802, 2026 Jackson Street,
21 Northeast. Again, today's date is September 19, 2022.

22 At this time, the Commission -- again, the OZ hotline number
23 is 202-727-0789 for any concerns during this proceeding.

24 At this time, the Commission will consider any preliminary
25 matters. Does the staff have any preliminary matters?

1 MS. SCHELLIN: I don't see any preliminary matters,
2 just to advise that the Applicant is being represented by
3 Alexandra Wilson; ANC 5C is represented by Mr. Montague; OP is
4 represented by Crystal Myers and Ms. Steingasser. And other than
5 that, the case is ready to go.

6 CHAIRPERSON HOOD: Thank you, Ms. Schellin.

7 Let's bring up Ms. Wilson and her team, and let's go
8 ahead and have the presentation. And this is a contested case.
9 Thank you.

10 Ms. Wilson, you may begin. If your team is up, you may
11 introduce them at this time.

12 MS. WILSON: Hi. Good afternoon. My name is Alex
13 Wilson from Sullivan and Barros on behalf of the Applicant in
14 this case. And I'm here with Ian Ruel, who is also representing
15 the owner and its Applicant.

16 Whenever Mr. Young has a moment, I'd love to bring up
17 the presentation. Thank you.

18 Could you go to the next slide, please? Thank you so
19 much.

20 Today the proposal is to change the zone from the
21 existing R-1-B zone to the MU-4 zone. This would create the
22 potential for a multifamily development as well as some
23 commercial uses as the existing R-1-B zone is limited to detached
24 single family dwellings. The change is consistent with the Future
25 Land Use Map, which designates the site as moderate density

1 commercial and residential. It is subject to IZ Plus, which will
2 result in either 20 percent of the GFA or 95 percent of the bonus
3 density utilized to be set aside for IZ units. This will be an
4 improvement over the existing parking pad that's there now, which
5 obviously provides no housing and the property has not been
6 developed. After I'm done presenting, I'll have Mr. Ruel talk
7 about his community outreach that has resulted in support from
8 the ANC, even when there originally was some concern from an ANC
9 in the record. And we also have a number of support letters in
10 the record. Next slide, please.

11 These are just a few photos of the site. It was
12 previously the site of another church which burned down many
13 years ago. Without the map amendment, the only by-right use is
14 one single family dwelling, possibly at market rate pricing, I
15 would imagine. And you can see the site's close proximity to
16 Rhode Island Avenue and the MU-4 zone.

17 Next slide, please.

18 The proposal is consistent with the Comp Plan and its
19 policies including the Framework Element, Future Land Use Map,
20 Generalized Policy Map, IZ Plus and racial equity goals as well
21 as other Citywide Elements. I'll do a brief overview of how it
22 meets these plans and policies, and there are of course more
23 details in the various filings as well as the OP report. I'll
24 note that it is not part of any Small Area Plan, so we don't have
25 any slide for that.

1 Next slide, please.

2 In terms of its consistency with the Framework Element
3 and Future Land Use Map, the MU-4 zone is consistent with the
4 designation of moderate density commercial and moderate density
5 residential. On the FLU map, the proposal will provide infill
6 development on an underutilized site, which will then have the
7 potential to provide new housing and commercial uses. This is
8 the goal of the Framework Element in terms of identifying and
9 improving one of the smaller infill sites in the northeast.

10 Next slide, please.

11 The property is in a neighborhood conservation area on
12 the Generalized Policy Map. It is approximately 35 feet from
13 Main Street mixed-use corridor. The proposal will allow for a
14 complementary use adjacent to a Main Street as the lower level -
15 - as any lower level retail could foster economic opportunities
16 and serve the neighborhood, and any residential uses would
17 provide additional foot traffic and patronage to the existing
18 buildings within that Main Street corridor along Rhode Island
19 Avenue.

20 Next slide, please.

21 Again, we provided a bigger analysis in the record, but
22 the map amendment will result in IZ units that would otherwise
23 not be expected from the current R-1-B zoning. For a mixed-use
24 development, there's potential for six to eight IZ unit, maybe
25 more depending on the unit mix. And again, under the current

1 zoning, only one single family home is permitted. And not to
2 speculate, but given the cost of development, any potential
3 single family home would likely be at a market rate price.

4 Next slide, please. Thank you.

5 So the first two columns of this chart are directly
6 from the Racial Equity Analysis Tool on the Office of Zoning's
7 website. So I just added a third column where we analyzed the
8 proposal under those factors in the other column. In weighing
9 these factors, the change would appear to have a net positive
10 outcome in that there are no existing tenants or buildings on
11 site. So the change would increase the potential for both market
12 rate and affordable housing without any displacement. As noted
13 in the slide before, there's the potential for new IZ units,
14 again versus the existing zoning, which would only result in one
15 single family market rate home. This action will result in
16 improvements to public space and new investments in
17 infrastructure, and there will be increased opportunity -- or
18 access to opportunity in that the site will have the potential
19 for new retail and new neighborhood serving uses.

20 Next slide, please. Thank you.

21 And finally, for the other Citywide Elements, again,
22 there's a very thorough analysis in our Applicant statement and
23 the Office of Planning report is quite thorough, but to summarize,
24 the proposed change would encourage infill development on an
25 existing long-term vacant site. It would encourage improvements

1 to the public space and promote a safer pedestrian environment.
2 It would promote sustainability through potential green roofs and
3 other planting elements currently not on site. It would encourage
4 more opportunities for small businesses in the area. And finally,
5 it would encourage new, affordable and market rate housing on a
6 vacant site which currently only has the potential for one single
7 family market rate home.

8 Next slide, please. Thank you.

9 That concludes my portion. And with that, I'm going
10 to turn it over to Mr. Ruel to very briefly discuss the community
11 outreach, and then we are available for any questions.

12 MR. RUEL: Hi. Can you guys hear me?

13 CHAIRPERSON HOOD: Yes. We can hear you.

14 MR. RUEL: All right. Alex, thank you. Members of the
15 Zoning Commission. My name is Ian Ruel. I'm the contract
16 purchaser for 2026 Jackson Street.

17 I'll just talk a little bit about the community
18 outreach process. I think it's very much been "boots on the
19 ground" strategy and operation. So it's been a mix of sending
20 out handwritten notes, knocking on doors, sitting in living
21 rooms, sitting on porches, talking to a lot of members of the
22 community. So we're excited about what we're proposing here. We
23 think, by and large, everyone is supportive in the neighborhood
24 of some sort of development here. We understand that like most
25 projects, there's going to be some level of opposition and we get

1 that. But we've tried to do everything that we can to accommodate
2 what the constituents in the neighborhood want.

3 We are planning on doing retail, which I think Alex
4 mentioned, a retail component of this project, which we think is
5 going to be pretty cool and pretty unique. So like I said, we've
6 tried to keep our ears open and listen and talk to as many members
7 of the community as possible. And I'm excited about next steps
8 in this project.

9 MS. WILSON: Thank you, Ian. We're happy to take any
10 questions from the Zoning Commission.

11 CHAIRPERSON HOOD: Okay. Thank you for getting straight
12 to the point.

13 I will start with Commissioner May, if he does not
14 mind. Commissioner May.

15 COMMISSIONER MAY: All right. So the question I have
16 is the ANC support. So I heard Ms. Wilson describe it as "some
17 concerns in the beginning, but they're on board now." Their
18 official report in the record indicates a vote of 3-0-4, 4
19 abstentions and 3 in favor, no opposition, which is not exactly
20 overwhelming support. And the letter also notes that there are
21 ongoing concerns, particularly about parking, but they will, I
22 guess, defer it when they discuss the actual project at some
23 point, which they assume will require some sort of BZA relief.
24 So do you want to explain that a little bit more? Because the
25 way you describe it is a little bit more positive than I was

1 picking up from that letter.

2 MS. WILSON: Sure. I'll start and then defer to Ian
3 because I did not attend the ANC meeting and I believe Ian did.
4 We've -- I mean, Ian's worked a lot with the Commission to get
5 it to a place where they don't oppose. I think from where we
6 started, it is an overall positive position we're in now with the
7 ANC. I've done other projects in the ANC where they've opposed
8 similar projects that they anticipate. We do plan on going to
9 BZA. There are two BRLs, but I think a lot of the discussion
10 about the use and the structure and anything related to parking
11 will be handled at that point. So we are positive overall that
12 we can keep moving in the right direction with the ANC.

13 MR. RUEL: Yeah, and that's -- just to dovetail on
14 that. That's exactly what kind of happened in the ANC meeting.
15 You know, we obviously had a few people that were in favor, but
16 because we were, you know, we tried to be transparent through
17 this whole process. We said, "We're going to BZA. What we're
18 showing you right now is very much conceptual, but in the BZA
19 hearings, there's going to be a lot more detail." So I think a
20 few members of the ANC just elected to kind of wait until we
21 could show them more detail during the BZA meetings.

22 COMMISSIONER MAY: So we tend not to want to hear
23 anything about the particulars of a proposed project on a map
24 amendment case. But since it's already in the record that you
25 intend to go to BZA, and the issue that seems to be in the

1 forefront for those people who are in opposition, and I think
2 even in the ANC letter, is the issue of parking. Will you be
3 seeking parking relief when you go to BZA?

4 MR. RUEL: We will not.

5 COMMISSIONER MAY: Okay. That's all good to know.

6 Okay. I don't think I have any other questions.

7 CHAIRPERSON HOOD: Okay. Thank you.

8 Commissioner Imamura.

9 COMMISSIONER IMAMURA: Thank you, Mr. Chairman. I don't
10 have any questions. I yield to Vice Chair Miller.

11 CHAIRPERSON HOOD: Okay.

12 And Vice Chair Miller.

13 VICE CHAIR MILLER: Thank you, Mr. Chairman. Can you
14 hear me okay?

15 CHAIRPERSON HOOD: Yes.

16 VICE CHAIR MILLER: Did you say what you are going to
17 need to go to BZA for?

18 MR. RUEL: No, I don't think we gave exact detail. So
19 there's two building restriction lines on this site, on the south
20 side and the east side of the site. They're both 15 feet. So
21 basically, our building is being pushed back, again from the
22 south side or from the east side. So we are seeking rear setback
23 relief.

24 Alex, I don't think we're going for anything else with
25 BZA, unless I'm missing something?

1 MS. WILSON: That is currently what I have drafted,
2 yes, but I'll have to review the plan. So as of today, yes, that
3 is what we are going for.

4 VICE CHAIR MILLER: So it is rear setback relief. And
5 I assume that this map amendment facilitates you doing everything
6 you want to do to facilitate that project except for that one
7 area of relief; is that correct?

8 MR. RUEL: That is correct.

9 VICE CHAIR MILLER: And I guess there isn't a map --
10 zoning category that would obviate the need for that BZA relief
11 and still be not inconsistent with the Comprehensive Plan and
12 other Comp Plan policies that you've cited here that the map
13 amendment is conforming to, is that -- there isn't another zoning
14 category. This is MU-4, this gets you as close as you can but
15 not the relief you need for what you want to do. Am I assuming
16 that's correct?

17 MR. RUEL: Our density, yeah. If we would just get
18 -- if you guys were to approve the zoning from what it is now to
19 MU-4, based on the fact that we have two building restriction
20 lines, we would not be able to maximize the potential density of
21 the site if we were to adhere to the rear setback relief that is
22 in place now with the current -- with hopefully the proposed
23 zoning.

24 VICE CHAIR MILLER: Okay. Thank you. And the MU-4
25 zone would allow for a maximum of -- is it 22 units or 23 units

1 of housing?

2 MR. RUEL: It's based on FAR.

3 VICE CHAIR MILLER: Yeah.

4 MR. RUEL: Yeah. It should be two and a half FAR, plus
5 IZ, plus penthouse. So somewhere in the low threes in terms of
6 FAR, above grade.

7 VICE CHAIR MILLER: And do you have the square footage
8 of the residential approximately? I know we're not talking about
9 a specific project, but this is facilitating a specific project
10 that's in mind.

11 MS. WILSON: So I'm -- if Mr. Young wants to pull up
12 Slide 7. I have an estimate. I mean, I know we don't have
13 anything concrete right now, but I did it in order to demonstrate
14 the potential IZ bonus, or IZ set-aside requirement. So this is
15 in the record in Exhibit 23 and this contemplated mixed-use, I
16 believe.

17 MR. RUEL: And our gross square footage just above
18 grade, if I were to guess, would be somewhere in the 30,000 square
19 foot range. I think what this is showing is just the residential,
20 but doesn't take into account, I think probably the core factor
21 and some of the retail component that we're proposing. So the
22 gross envelope will be above grade, about 30,000-ish square feet.

23 VICE CHAIR MILLER: Thank you for that information.
24 And the expected of the 30,000 approximately, I think I saw
25 somewhere 7,000 square feet of retail on the ground floor?

1 MR. RUEL: No, I think we're going to shoot for
2 somewhere between 2,000 and 3,000 square feet. We'd like to get
3 one or two tenants in that space.

4 VICE CHAIR MILLER: Okay. I think I saw that in the
5 DDOT report for some reason, but 2,000 to 3000. And you said it
6 was "unique and cool," so you must know some idea of what that
7 retail is going to be. Can you -- have you shared that with the
8 ANC or the public? Can you share with us about it?

9 MR. RUEL: Sure. Yeah. I mean, it's based on a lot
10 of feedback that I've got from the neighborhood, so happy to
11 share it. Would (indiscernible) -- and have had talks with a
12 couple different coffee shop operators, a pizza restaurant
13 operator, grocery, a small kind of boutique grocery store. That
14 neighborhood just lost a small concept grocery store, so I think
15 the neighborhood would love to replace it with somebody. But at
16 this point, it's so preliminary, I'm definitely open and I'm
17 going to continue trying to get community feedback on that.

18 VICE CHAIR MILLER: Great. I appreciate all the
19 community outreach that you've done and that you were able to
20 garner the ANC support with the abstentions. But it came from
21 opposition, I think at setdown, so that obviously reflects a lot
22 of dialogue and work and we -- everybody appreciates that.

23 The IZ Plus is being mapped with this map amendment
24 which, correct me if I'm wrong, the IZ Plus is being mapped with
25 this map amendment proposal and that would be that -- and that

1 would require that 20 percent of the residential would be
2 inclusionary zoning units or square footage; is that correct?

3 MS. WILSON: Correct. The greater of 20 percent of the
4 residential GFA or 95 percent of the bonus density utilized, so
5 just whatever is greater.

6 VICE CHAIR MILLER: Yeah. And you estimate, I think
7 in your testimony, that it was at six to eight units; is that
8 what you said?

9 MS. WILSON: Yes, I believe that is what I said. That
10 was just based on a chart and the maximum -- you know, maximizing
11 the potential lot occupancy, FAR, and what would be expected from
12 the mixed-use building. And then I divided it by 700 and got
13 six to eight units. That's just an estimate.

14 VICE CHAIR MILLER: Yeah. So one of us here will hear
15 more about it at the BZA level, but I just wanted to get as much
16 information as possible since it's out there.

17 And you said there would be a diversity of size of
18 those units ranging from one bedroom to two bedroom; is that what
19 you said?

20 MR. RUEL: Yeah. I think that's probably the plan.
21 We're doing the project next door, which is obviously a separate
22 project, but we're doing eight three-bedroom, two bath units
23 there and a couple one bedroom. So that's, I think, a project
24 that's directly next door that's more focused on kind of families.
25 This one's going to be a little bit smaller in terms of the unit

1 mix. So a lot of ones and twos, and we'd probably lean more
2 towards like one bedroom and dens and two bedrooms than we would
3 one bedrooms, just based on the submarket and the demand that I
4 think they'll be for those type of units.

5 VICE CHAIR MILLER: Right. And this is the church's
6 current parking lot; is that correct?

7 MR. RUEL: It was. The church hasn't been used in a
8 while, at least since COVID. So this was a -- you know, it's
9 the New Macedonia Baptist Church. They acquired it through kind
10 of like a merger a few years ago. But since COVID hit, they
11 haven't used the church and really -- don't have any current or
12 future use for it, so that's why they're selling it.

13 VICE CHAIR MILLER: So the church property is part of
14 this site or the adjacent?

15 MS. WILSON: It's the adjacent. There's two separate
16 properties, right. And one is the church and then this is the
17 parking lot next door.

18 VICE CHAIR MILLER: Okay. I got -- I think I got it
19 now.

20 MR. RUEL: All right. Yeah. Sorry to --

21 VICE CHAIR MILLER: No, no, I -- and is this -- did
22 this church move to somewhere else?

23 MR. RUEL: Their headquarters is down in southeast D.C.
24 That's where they're kind of like main -- the main church is. So
25 they just consolidated their operations to that location.

1 VICE CHAIR MILLER: And this transaction and the other
2 one, obviously -- well, correct me if I'm wrong, has helped
3 sustain their operations wherever they are.

4 MR. RUEL: Yeah, I'd like to think so. Yeah, I'd like
5 to think so.

6 VICE CHAIR MILLER: Okay. All right. Thank you. I
7 appreciate, Mr. Chairman, you allowing me to ask all those
8 specific questions, and I appreciate the Applicant's responses.
9 Thank you.

10 CHAIRPERSON HOOD: I wanted to share -- I think New
11 Macedonia, as he spoke, is in southeast. They had a church built
12 out there years ago. They merged with this church when Reverend
13 Parker got sick in the church. So I know the whole story. When
14 the other church burned down -- so I know how we got here. It's
15 a long story. And one day, once we finish this, I'll tell you
16 all about it.

17 VICE CHAIR MILLER: Okay.

18 CHAIRPERSON HOOD: So one of the things -- thank you,
19 Mr. Ruel and Ms. Wilson -- one of the things that I'm concerned
20 about is intensity of use. When I look at the Generalized Policy
21 Map, I see that it's basically, unless I'm color blind, it say
22 Main Street mixed-use corridor. For me, I know it's right off
23 the street. I know the parking lot has been there for a while.
24 I'm glad to hear about the churches. I was kind of concerned
25 about the site being more restricted. But one of the things that

1 concerns me, the parking around there -- and I'm sure that's what
2 the ANC and everybody is talking about -- is horrendous. So it's
3 already a parking problem even before we get started. And I'm
4 not talking about a development because that's not what we -- I
5 don't want to talk about the development, but -- and to talk
6 about it on BZA, and I'm not being non-supportive of it, I just
7 want to make sure that these things won't be -- won't get to a
8 BZA point and then this -- my colleagues and the BZA really get
9 tied down with these issues. So as we're planning this project,
10 and I know some of this is the preliminary process, let's make
11 sure that we are addressing some of those issues. And I'm not
12 saying you all -- it's already a problem -- before you even get
13 started putting the first brick down -- it's already a problem.
14 And I think you know that, Mr. Ruel.

15 And I will tell you Commissioner May, when I look at
16 the ANC letter, those four abstention votes are a vote in favor,
17 the way I read it. Because even though they abstained from it,
18 they -- I would have liked to have known where they were, or did
19 they just abstain, I don't know what -- maybe I'll ask
20 Commissioner Montague or maybe I won't.

21 But intensity of use, has that come up? I mean, I'm
22 not talking about the project. I'm sure you probably mentioned
23 what the plan is after you get this, if you get this zoning
24 change. Mr. Ruel, have you talked about the intensity of use?

25 MR. RUEL: I'm sorry. Are you saying intensity of use

1 or intent?

2 CHAIRPERSON HOOD: Intensity, yes, the intensity.
3 Because if we -- you'll be able to do a little more with the MU-
4 4.

5 MR. RUEL: Yes.

6 CHAIRPERSON HOOD: So what I'm asking is, you know,
7 we're talking -- parking is already a problem, as I mentioned.

8 MR. RUEL: Yep.

9 CHAIRPERSON HOOD: Some of this needs to be mitigated.
10 Are we increasing the problem? Because I -- here's what I don't
11 want to do. I don't want to kick -- because once we do this and
12 you decide to go to a matter of right, even though I know you
13 have some other restrictions, if you decide to go to a matter of
14 right, then there won't be a BZA case. Is that correct, Ms.
15 Wilson?

16 MS. WILSON: That is correct, but it's not -- I mean,
17 I guess it would technically be possible to do a matter of right,
18 but we are already planning on going to the BZA. I will state
19 that on the record.

20 CHAIRPERSON HOOD: Okay. Thank you, Ms. Wilson. I've
21 been around long enough to hear that and I've also noted that
22 they have come back with matter of rights. So I don't want to
23 put nobody on "Promised Land," but I just want to make sure
24 everybody knows that it's a possible chance, because things do
25 happen, and I will agree that there's (indiscernible). So I

1 want to make sure, Mr. Ruel, that as you are working with the
2 neighborhood, because some of the neighbors don't do zoning every
3 day, so if you are working with the neighbors, to make sure that
4 kind of not exacerbate the problems we have up there that already
5 exist before you even got there. But let's see how we can
6 (indiscernible) down and become complementary to the community.
7 And I know that's probably more of a statement as opposed to a
8 question.

9 MR. RUEL: I'll -- I'm sorry.

10 CHAIRPERSON HOOD: No, go ahead.

11 MR. RUEL: I was just going to say, I mean, to be
12 completely frank with you, like I need to go to BZA in order to
13 make the economics of this deal work out, just based on what I'm
14 paying for the land. You know, like we said earlier, I mean,
15 we're not going to go for relief. And because of these building
16 restriction lines, we're getting pushback on this site. So far,
17 we can't surface park it. So we're going to be doing underground
18 parking, which is extremely expensive to do. So I'm totally
19 sensitive and I want to work with the community with providing
20 parking, but also, like just between us, like it is -- we're
21 talking about underground parking in a submarket that really
22 doesn't necessarily support it based on where condo sales are.
23 So again, I'm going to continue to work with the community and
24 have conversations. It's going to be an ongoing dialogue, but
25 we're not going for any sort of relief on parking. We're just

1 doing what is allowed, by right.

2 CHAIRPERSON HOOD: I got you. I will tell you, I voted
3 on a project -- I'm glad you mentioned underground parking,
4 because I was wondering how it was going to work. But I voted
5 on a project on Eighth Street for underground parking. It sounded
6 great and it never happened. So I just wanted to put that out
7 there. It never happened. Yeah, I know. You're right, it's
8 very expensive. And I'm sure you've done already the cost
9 analysis to make sure whatever your plans are when you go to BZA,
10 it's financial, or you'll be able to do it. Okay.

11 Well, I'm pretty confident and I think it will
12 definitely be an improvement up in that area. We just need to
13 figure out working with the community, as you've already
14 mentioned in the parking.

15 The only other question I have -- no, that's not the
16 question. So you are doing something with the other church that's
17 not -- not the surface parking lot, but right next door. You
18 are doing something totally separate. Is it going to be a
19 combined project or is that totally separate?

20 MR. RUELE: Two separate projects. The church, we are
21 doing an adaptive reuse of. We're not adding any additional
22 density. So that was another project that we worked with the
23 community to do -- like, extensive, spent a lot of time on it.
24 So that's going to be ten units separate and apart from 2026
25 Jackson Street.

1 CHAIRPERSON HOOD: So I saw the letters of support.
2 Were those neighbors like right behind -- right on the side of
3 the parking lot where the at-risk windows probably will be? Well,
4 I don't want to get into that. But are those neighbors right
5 there, right by that house?

6 MR. RUEL: In terms of Jackson Street.

7 CHAIRPERSON HOOD: It's in the report. Right, correct.

8 MR. RUEL: No. No, I don't -- we didn't get any
9 support. We didn't get any opposition, but not necessarily
10 support from the neighbor directly next door. I've met with that
11 family a couple, you know, a number of times. Those were one of
12 the families whose porch I sat on and sat in their living room.
13 But they're not necessarily in support, but I wouldn't put them
14 in the category of opposition either.

15 CHAIRPERSON HOOD: They're in the category of concerns
16 and want to follow it through and stay engaged.

17 MR. RUEL: Totally. Yes.

18 CHAIRPERSON HOOD: That's enough questions. Thank you
19 very much. I appreciate your response to my questions.

20 Ms. Schellin, do we have any -- any follow up questions from
21 my colleagues?

22 (No audible response.)

23 CHAIRPERSON HOOD: Okay. Ms. Schellin, do we have
24 anyone representing the ANC?

25 MS. SCHELLIN: Yes. Mr. Montague is on, so if Mr.

1 Young could bring him forward.

2 CHAIRPERSON HOOD: Okay. Now, this is Commissioner
3 Montague. And let me -- for full disclosure, this is my ANC.
4 While I was not involved with whatever they were doing and vote
5 or anything, but I know a lot of -- my colleagues talk about
6 their ANC, so I'm going to talk about mine. And we have a good
7 commissioner who's coming up. I actually call him when I have
8 problems.

9 MR. YOUNG: It's not allowing me to make him a panelist.
10 It's only allowing me to unmute him.

11 CHAIRPERSON HOOD: Okay.

12 MS. SCHELLIN: Maybe if he would call in. So if you
13 could unmute him.

14 MR. YOUNG: He's unmuted now.

15 CHAIRPERSON HOOD: All right. Commissioner Montague.

16 COMMISSIONER MONTAGUE: Good afternoon, board members.
17 How are you?

18 CHAIRPERSON HOOD: We're doing fine. This is a portion,
19 as you know, where you can ask -- cross-examine questions of what
20 you heard in testimony. So go right ahead.

21 COMMISSIONER MONTAGUE: I had wished that I had been
22 able to see so that you could get the full, passionate discussion
23 from me, but it is what it is.

24 I heard (indiscernible) and appreciate the presentation
25 from the Applicant. Let's -- since there was a question about

1 it, let's talk about the 3-4-0 vote. Some of my fellow
2 commissioners don't distinguish well between the Zoning
3 Commission and the Board of Zoning Adjustment. And so -- and
4 they're thinking in their discussions, they generally tend to
5 apply the same rules and same conditions and restrictions. In
6 this particular case, we're talking about a change to the map
7 where I had concerns about the generalized Future Land Use Map
8 that was done by the Office of Planning. And it broad stroked
9 about a zone, a permissible zone for MU-4 across this particular
10 lot. And I've had discussion with the property owner or the
11 Applicant, and other people around there to try to get them to
12 understand. I even spoke to Director Trueblood when he was here
13 and voiced that as a major concern because it had a potential of
14 upending not only this lot, but other lots in similar
15 circumstances. So that is my explanation.

16 The commissioners, basically, they want to see a near
17 finished product and this was not the time for that discussion.
18 And so rather than make it a punitive thing, I think they just
19 stepped back and said, well, we'll just abstain until we get the
20 details that make us comfortable with the project.

21 As Chair Hood mentioned, vehicular parking is a
22 problem, it is a major problem. When I wrote my original note -

23 -

24 CHAIRPERSON HOOD: Commissioner Montague.

25 COMMISSIONER MONTAGUE: Yes.

1 CHAIRPERSON HOOD: I see my colleagues right now. We'll
2 be able to get into your -- you are going to have a time to come
3 back and give your testimony. This is the portion where you, in
4 turn, ask any questions of what you heard to the Applicant.

5 COMMISSIONER MONTAGUE: Oh, sorry about that. No.
6 Because the other things are BZA related, they're not --

7 CHAIRPERSON HOOD: Okay.

8 COMMISSIONER MONTAGUE: -- as a result.

9 CHAIRPERSON HOOD: If you don't have any questions,
10 just hold tight. We're going to come -- what you was getting
11 ready to tell us, hold your thought, because I'm interested in
12 going in that language and hear how it went. But hold your --
13 if you don't have questions of them now, hold your thought. We're
14 going to come back to you very shortly.

15 COMMISSIONER MONTAGUE: Thank you.

16 CHAIRPERSON HOOD: Okay. All right. Let's go to the
17 Office of Planning and District Department -- I think, Ms.
18 Schellin, I don't -- usually we don't have anybody from DDOT.
19 I'd be surprised. We do have a letter, but we usually don't have
20 anybody.

21 MS. SCHELLIN: We do not.

22 CHAIRPERSON HOOD: Okay. I didn't think so.

23 Okay. So let's go to Ms. Myers.

24 MS. MYERS: Good afternoon, Commissioners.

25 CHAIRPERSON HOOD: Good afternoon.

1 MS. MYERS: Okay, good. Crystal Myers with the Office
2 of Planning. The Office of Planning is recommending the Zoning
3 Commission approve Case No. 21-14 for a Map Amendment to rezone
4 2026 Jackson Street, Northeast, from R-1-B to MU-4 with IZ Plus.
5 Rezoning this property to MU-4 would allow it up to 50 feet in
6 height and up to 75 percent lot occupancy for a residential
7 development with IZ or 100 percent lot occupancy for commercial
8 development. IZ Plus on the site could provide substantially
9 more affordable housing units than if it were developed by-right
10 under the existing R-1-B zone, which would only yield one dwelling
11 unit and likely no affordable housing. And development on the
12 site would be required to comply with the current parking
13 standards. On balance, the MU-4 zone would not be inconsistent
14 with the Comprehensive Plan. It would be more in line with the
15 site's Future Land Use Map designations of moderate density
16 residential and moderate density commercial than the existing R-
17 1-B zone, which is for low density residential development.

18 It is also not inconsistent with the Neighborhood
19 Conservation Area designation on the Generalized Policy Map,
20 which allows for new development, especially new housing.

21 The OP setdown report provides a full review of the map
22 amendment through a racial equity lens. The site, which is
23 currently a parking lot, is alongside the Rhode Island Avenue
24 Metro -- Rhode Island Avenue Main Street mixed-use corridor. The
25 corridor contains a variety of neighborhood commercial uses and

1 is well-served by bus service. The density increase and IZ Plus
2 on the site could make the area more accessible to a variety of
3 households and attracting more residents to this area would
4 benefit local businesses.

5 In conclusion, the Office of Planning recommends that
6 the Zoning Commission approve the proposed map amendment. Thank
7 you.

8 CHAIRPERSON HOOD: Thank you, Ms. Myers. And I know
9 you and Ms. Steingasser are listening. I'm very interested in
10 continuing to hear what Commissioner Montague mentioned about the
11 "broad brush" of the MU-4 and the impacts. And he's mentioned
12 that he's been to former Director Trueblood. So when we get to
13 that point, that's something I want -- I want to hear his comments
14 and I want to also, at a later time, Ms. Steingasser, if we can
15 respond to that. I think -- when we do these kind of -- when we
16 do zoning, we always think that we got it and sometimes we don't.
17 So let's just -- let me just hear what he has to say when we go
18 back to him.

19 Any questions to the Office of Planning? Unless, Ms.
20 Steingasser, unless you wanted to respond to that now. But I
21 haven't finished hearing what he had to say.

22 MS. STEINGASSER: I was just acknowledging that I heard
23 what you had just said.

24 CHAIRPERSON HOOD: Okay. Okay. Thank you.

25 All right. Commissioner May.

1 Ms. Myers, don't go anywhere. We might have some
2 questions for you.

3 COMMISSIONER MAY: I have no questions.

4 CHAIRPERSON HOOD: I would run too, Ms. Myers, sometimes
5 when I say something.

6 All right. Commissioner Imamura.

7 COMMISSIONER IMAMURA: No questions either. I
8 appreciate Ms. Myers hitting all the high points. Thank you.

9 CHAIRPERSON HOOD: Okay. Thank you.

10 And Vice Chair Miller.

11 VICE CHAIR MILLER: No questions. Thank you, Ms. Myers.

12 CHAIRPERSON HOOD: And thank you, Ms. Myers, for your
13 report. I have no questions.

14 Does the Applicant, Ms. Wilson or Mr. Ruel, do you all
15 have any questions?

16 MS. WILSON: No, thank you.

17 CHAIRPERSON HOOD: Commissioner Montague, do you have
18 any questions?

19 COMMISSIONER MONTAGUE: No. My question is about the
20 way that the Future Land Use overlay was devised.

21 CHAIRPERSON HOOD: Okay. We will hear that in your
22 testimony.

23 All right. So let me open up the District Department
24 of Transportation's report. And I will not be taking any
25 questions, but it says, "DDOT has reviewed the Applicant's

1 request to determine that based on the information provided, the
2 proposed rezoning would not lead to a significant increase in
3 number of peak hour vehicle trips of the District's
4 transportation network."

5 Basically, they are supportive and I believe they are
6 supportive of us making this going forward. Is that correct, Ms.
7 Wilson?

8 MS. WILSON: That is correct. I have the exhibit as
9 well.

10 CHAIRPERSON HOOD: Okay. All right. All right.
11 Now, we will go back to Commissioner Montague.

12 COMMISSIONER MONTAGUE: Yes, sir.

13 CHAIRPERSON HOOD: We're all here.

14 COMMISSIONER MONTAGUE: Okay. This has to do with the
15 OP part. So what happened was -- and when the car plan was being
16 developed and I had conversations with the Office of Planning
17 staff and Director Trueblood, one of the concerns were areas
18 along, in our particular case, an area in northeast where lower
19 density of land parcels or lots or squares juttred into or came
20 into proximity of what they would call a higher density
21 development, right?

22 So the concern is always that Rhode Island, since it's
23 the northeast (indiscernible) turn to be developed, we didn't
24 want Rhode Island Avenue to become a canyon of ugly boxes. And
25 I'm not saying that this project will do that, but the concern

1 was, was the map overlay, it basically overrode the existing
2 zoning of R-1-B. So through the discussions, we've kind of passed
3 or moved forward on that.

4 When I originally wrote my decision, and I realized
5 there was a "blue sky of want," when I asked that we incorporate
6 underground parking equivalent to or near equivalent to the
7 capacity of the existing Church parking lot. Now, I was made
8 aware of the expense of having done that. But the community,
9 because we call it the "P" word of vehicular parking, they just
10 bristle any time something new has come into the neighborhood
11 because it has the potential of creating an adverse impact upon
12 their ability to park in front of their residence. Okay. So we
13 live in an area where, "I bought my house. I've lived here for
14 how many years and I own that parking lot even though it's in
15 public space." Okay?

16 So we've talked about that and talked about the FLUM.
17 I just think that in the future, when we do the next revision on
18 the Comp Plan, we need to give -- where there are opposing zoning
19 designations that jut into a future land use, that we really
20 scrutinize where those things occur. Do I need to say more?

21 CHAIRPERSON HOOD: Yeah. Are you finished, Commissioner?

22 COMMISSIONER MONTAGUE: For that, yes.

23 CHAIRPERSON HOOD: Give us your whole testimony.

24 COMMISSIONER MONTAGUE: I'm sorry. One of the concerns
25 was that whenever development comes, there has to be consistent

1 with the fabric of the community. And so as you notice on one
2 side of the proposed -- of the property, let's just say that the
3 flat parking lot, one side is single story or one and a half
4 story single family residences, the other side was the church.
5 The church now is a is a done deal. It is going to be redeveloped
6 into a multifamily building, but it is going to preserve the
7 historic nature of that building.

8 Mr. Ruel and his team did do what I would consider more
9 than adequate outreach, and he did address all of the concerns
10 of the opposition or people who were not inclined to support the
11 project beyond, "I don't want."

12 Yes? I thought somebody was saying something.

13 The retail component would be a welcome addition. As
14 mentioned, that we did lose a grocery store, but we are actually
15 getting another one further down near the library.

16 One of the concerns that was raised about this project,
17 and was unresolved, was about trash and access to, you know, how
18 would that work? And there was a general sense that DDOT would
19 be left to mitigate it. But I have to be honest with you.
20 Sometimes agencies who are responsible or have oversight or
21 determination in these matters give it a lukewarm view -- overlook
22 where they don't delve into how best to solve the problem. They
23 just fall back on, "Well, it's going to be not a great or a
24 significant interruption." Anything coming there is going to be
25 -- and we discussed this with -- even though we're not supposed

1 to be talking about the other adjacent property. That was a
2 heavy discussion about, you know, in and out, and trash pickup,
3 and this, that, and the other. Those are the things that matter
4 greatly to those four abstentions. So I don't want anyone to
5 walk away from this and say, "Well, the Commission opposed it."
6 It was just a matter of -- there were concerns that this was not
7 the forum to address those. And I'm done.

8 CHAIRPERSON HOOD: Okay. Thank you. For full
9 disclosure, again, as I said, this is my ANC, and I let
10 Commissioner Montague -- well, my colleagues, you all know I let
11 all ANC commissioners do that. It's not just -- I'm not showing
12 favoritism. I want to make sure I put that on the record, because
13 I do that all the time.

14 Let's open it up for any questions of Commissioner
15 Montague.

16 Commissioner May.

17 COMMISSIONER MAY: I do not have any question.

18 CHAIRPERSON HOOD: Commissioner Imamura.

19 COMMISSIONER IMAMURA: Thank you, Mr. Chairman. I don't
20 have any questions for Commissioner Montague, but he did raise
21 up some good points that I think Mr. Ruel will take to heart,
22 knowing that there are lessons learned here, and I'm sure that
23 he will put into consideration with this new map amendment and
24 proposed potential project, especially with trash collection and
25 refuse collection. Those are things that people often overlook.

1 And so certainly, that's something that I try to kind of hone in
2 on, on some of these projects that come before the Commission.
3 So they're often undersized and very little thought is given to
4 those. So I'm sure Mr. Ruel will give that some consideration,
5 due consideration. Thank you, Mr. Chairman.

6 CHAIRPERSON HOOD: Thank you. Vice Chair Miller.

7 VICE CHAIR MILLER: No questions, Mr. Chairman.

8 Thank you, Commissioner Montague, for your work on this
9 proposal and all your work in the community. Thank you.

10 COMMISSIONER MONTAGUE: Thank you.

11 CHAIRPERSON HOOD: And does the Applicant have any
12 questions of Commissioner Montague?

13 MS. WILSON: No, thank you.

14 CHAIRPERSON HOOD: I don't have any questions. This
15 will probably be my last time saying this publicly, because I
16 don't know if Commissioner Montague has cases come in front of
17 me. I know he's no longer running for ANC. He has made that
18 very clear, which I think is a loss to my ANC and a loss to the
19 City. I think Commissioner Montague has worked hard. He took
20 interest in zoning, ABC, you name it, he took an interest in it.
21 And I'm saying this for you, Commissioner Montague. We want to
22 thank you for your service. If I have an opportunity again, I
23 will do it, but I want to thank you for your service and all
24 you've done. And the reason I feel confident moving forward,
25 with all the problems I know that go up there on Jackson Street,

1 is because I believe that hopefully you all will be working on
2 it in the next couple of months and Commissioner Montague will
3 still be in office. And even if he's out of office, he'll still
4 stay engaged. So -- and let's make it work for the best interest
5 of the residents in this community as well as the City. So thank
6 you for all your service, Commissioner Montague.

7 COMMISSIONER MONTAGUE: Thank you.

8 CHAIRPERSON HOOD: All right. Ms. Schellin, let's go
9 to those who in -- I think we can bring everybody up. Everybody
10 who is here in support, opposition, or undeclared.

11 MS. SCHELLIN: Okay, Mr. Young, I will call out the
12 witnesses for you. That will be -- sorry, let me get back to my
13 kiosk. I don't think Mr. Dutchin, do you see him? Adeola Osobu-
14 Dutchin?

15 MR. YOUNG: I do not.

16 MS. SCHELLIN: Allegra Connor?

17 MR. YOUNG: I have her.

18 MS. SCHELLIN: Okay. Carolyn Rivers, opponent?

19 MR. YOUNG: I do not see her.

20 MS. SCHELLIN: Cheryl Dixon, opponent?

21 MR. YOUNG: I do not see her.

22 MS. SCHELLIN: Okay, that's it.

23 CHAIRPERSON HOOD: Okay. Thank you. Let the record
24 reflect, we've called those who have signed up. They have not -
25 - they were -- they're not here at the hearing at the time.

1 So let's go to Allegra Connor. Allegra Connor, you're
2 on mute. If you'll unmute yourself.

3 MS. CONNOR: Is it one of these?

4 CHAIRPERSON HOOD: There you go. You got it.

5 MS. CONNOR: Can you hear me?

6 CHAIRPERSON HOOD: Yes, we can hear you now. Thank
7 you.

8 MS. CONNOR: I just wanted to let you know that Ms.
9 Carolyn Rivers, she's here with me as well.

10 CHAIRPERSON HOOD: Okay, great. All right. So both
11 of you all can -- you have three minutes.

12 Right, Ms. Schellin?

13 You have three minutes and whoever wants to start, may
14 go ahead. Identify yourself, and you may begin.

15 MS. RIVERS: Good afternoon. I'm Carolyn Rivers. I
16 reside at 2022 Jackson Street. My house is the second house that
17 would be next to this proposed construction.

18 But the concern that I have -- is parking, too, but
19 it's the foot traffic that would be coming into our neighborhood.
20 This is sort of like a small little block. Jackson Street would
21 consist of maybe like 14 homes. And I'm just concerned about
22 all the foot traffic that would be coming into the neighborhood.

23 Also, they're proposing to put a bar inside of the
24 establishment with an outside cafe, which I don't see how that
25 is helping our neighborhood. That is still bringing extra people

1 into the neighborhood, you know, and this is a quiet neighborhood.
2 When you get more people coming in, that could cause a lot of
3 problems. And that's my basic. Parking is a problem for us,
4 too. But you know, I can pretty much understand what the
5 Commissioner said, that we think we own these parking spaces, no.
6 When you go to your homes, don't you want to be able to park in
7 front of your house when you get home from a long day at work?
8 That's the only problems that we had, concerns that we have.
9 That's pretty much, you know, what I feel about what's going on.

10 This neighborhood -- I'm just going to ask the
11 Commissioners one question. If this project was placed next door
12 to your home, how would you vote?

13 CHAIRPERSON HOOD: Ms. Connor? Ms. Rivers? I don't
14 want you to go anywhere because I'm going to answer that.

15 MS. RIVERS: Okay.

16 CHAIRPERSON HOOD: I tell people when they say that to
17 me. I'll tell you how I got here.

18 MS. RIVERS: Yes.

19 CHAIRPERSON HOOD: Be very careful when you ask what's
20 next to my house. I probably would have had what you had
21 (indiscernible). So, anyway. Let's go to -- but don't go nowhere
22 because we may have questions.

23 Let's go to Ms. Connor.

24 MS. CONNOR: Okay. So I also wanted to -- I'll just
25 read straight from my letter. I did submit a letter of opposition,

1 as well as both houses that are next to the proposed site.

2 So the first issue I had is the negative impact on
3 parking, which is evident. Initially, the developer hadn't
4 included parking in their plan, but then he did amend to put
5 minimal parking. Parking around here is just a nightmare
6 situation. For me, it is not about parking in front of my house.
7 It's to the point now where sometimes I have to park on Kearny
8 Street and then walk up. Now, with groceries and small children,
9 that's just -- it's just ridiculous and to add 60 more units
10 total to this already congested area, intending what 46, I believe
11 they said it was. I just don't understand how with three
12 additional parking spaces for underground, I believe that was the
13 last thing I heard the last time I went to the ANC meeting. I
14 just don't see how the math is mapping there.

15 There's also going to be a negative impact of safety due to
16 the increase in traffic. We have a daycare center here on this
17 block already. I believe the physical address is Rhode Island
18 Avenue, but they use the Jackson Street entrance and exit to walk
19 the kids to -- for the parents to come in and out. So you're
20 going to increase traffic. And we have a lot of small children
21 on this street.

22 And then also, I just think it's just not in the best
23 interest for the community because it'll just make it look ugly.
24 That building that they're proposing is just huge and it is not
25 very pleasing esthetically. It doesn't really fit in with the

1 houses that's here, the multi that's already here. That's pretty
2 much my -- why I oppose it.

3 CHAIRPERSON HOOD: Okay. Well, I want to thank you
4 both. I want to thank you Ms. Connor and Ms. Rivers. As we've
5 been talking previously, there will be another "bite at the
6 apple," but the Zoning Commission's job is to do the rezoning.
7 And the "bite at the apple" will be the Board of Zoning Adjustment
8 case. But these concerns about the esthetic and the design and
9 some of that will probably be discussed later on. As we've
10 mentioned, and also as Commissioner Montague has mentioned, there
11 will be time for you to come back and continue to work with the
12 Applicant on that process.

13 So let me let me go back to, I think it Ms. Rivers. I
14 always tell people, "be very careful." When Marion Burke
15 (phonetic) put me on the Zoning Commission; I got on the Zoning
16 Commission because I was complaining about trash transfer
17 stations. When I open my windows, all I smell is trash, at that
18 time. So I'm right here in Queens Chapel, and I will tell you
19 that a lot of people say (indiscernible), and I don't know if
20 that was a question to us, or was you saying that to the ANC's
21 Commissioners. But I took it as to us, and I will tell you, be
22 very careful, because out of a whole lot of projects I have seen,
23 I'd rather be next to them than next to some of the stuff that
24 I'm next to. But that's just the way I live. And I understand
25 your plight. You've heard my comments previously about what's

1 going on up there. I understand that area, I understand how
2 tight it is. I understand where you drive your car on Jackson
3 Street, you better get on up there. I get all that. I use the
4 street. Matter of fact, I just used it today. I was one of the
5 people who probably caused a traffic problem on your street.

6 So what I would encourage you all to do is stay engaged,
7 like you're doing now. And I appreciate you all taking the time
8 to come down. But there's another process, another "bite at the
9 apple" to be more specific to a project. Our detail -- our
10 proceeding is not detailed to a project, it's just the zoning
11 change. But I get it, I get it.

12 Let's see. Any other questions, Commissioner May.

13 COMMISSIONER MAY: No, I don't have questions. Thank
14 you.

15 CHAIRPERSON HOOD: Commissioner Imamura.

16 COMMISSIONER IMAMURA: Thank you, Mr. Chairman. No
17 questions for Ms. Rivers or Ms. Connor, but just wanted to make
18 the comment and thank them for expressing their concerns and
19 participating in this public process. It's really important, you
20 know. Infill development is important, especially adjacent to
21 Main Street. And if planned and designed properly, you know, it
22 really can increase the vitality in the neighborhood. But those
23 are just the comments that I wanted to make. And again, I thank
24 Ms. Rivers and Ms. Connor for their participation.

25 MS. RIVERS: Thank you.

1 MS. CONNOR: Thank you. And the developer is a very
2 nice man.

3 MS. RIVERS: Yes, he is.

4 MS. CONNOR: He's a very nice man. It's nothing
5 against him, nothing personal.

6 CHAIRPERSON HOOD: That's 90 percent of the battle.
7 Let me finish.

8 Vice Chair Miller, do you have any questions or
9 comments?

10 VICE CHAIR MILLER: No questions or comments. I echo
11 Commissioner Imamura's comments and (audio interference) and
12 thank you for your participation in the community.

13 CHAIRPERSON HOOD: Okay. Ms. Wilson and Mr. Ruel,
14 you're such a nice man.

15 MS. RIVERS: He is.

16 MR. RUEL: Thank you for that. And I'll just say --
17 and I know all of this is going to be covered in the BZA hearing,
18 but just to address a few of those things. So with regards to
19 parking, the last iteration that we had, and I understand the
20 confusion because we've been in front of the ANC multiple times
21 and there's been multiple kind of like conversations and
22 iterations. We were proposing one spot for every six units,
23 which is what is allowed by-right, so I think in our latest
24 conceptual plan breakdown, we showed somewhere between five and
25 six parking spaces for the 30 or so residential units we were

1 proposing. And just to be clear, the project for 2026 Jackson
2 is going to be somewhere between 35 and maybe 40 units, but
3 probably more likely like 35. So not the 46 that I heard
4 mentioned.

5 In terms of the bar, again, but maybe that's not --
6 I've had no discussions with any bars. I don't think that's a
7 neighborhood that would want or need a bar. And to be very clear,
8 I want to hold on to this retail long-term. And so I'm going to
9 be in this submarket, this neighborhood long-term. And I want
10 to put retail in there that serves the neighborhood. In my mind,
11 just the eye test, it's not, it's not a submarket, it's not a
12 neighborhood, and that's not a location that I think a bar should
13 go to. So I want to be very clear. I'm having zero conversations
14 with bar tenants. I haven't had any conversations with bar
15 tenants. So I want to be clear on that. And then
16 finally, just in terms of traffic, I know this will all be covered
17 in the BZA hearing, but what's good about this project is we do
18 have underground parking. So our plan would be to put the trash
19 in the underground parking. So I just want to address all that
20 quickly.

21 CHAIRPERSON HOOD: Okay. Thank you.

22 Commissioner Montague, do you any questions of either
23 Ms. Connor or Ms. Rivers?

24 COMMISSIONER MONTAGUE: No, I'm good. I appreciate the
25 opportunity (indiscernible).

1 CHAIRPERSON HOOD: Again, thank you, Ms. Connor and Ms.
2 Rivers. Again, as we've suggested, I'm sure you will, make sure
3 you stay engaged through this process. The -- you've obviously
4 already have had conversations with the developer. So continue
5 to stay engaged and try to mitigate some of the issues --
6 outstanding issues, if possible. Okay. So thank you both.

7 MS. CONNOR: You'll have to mute me. I don't know how
8 to do it.

9 CHAIRPERSON HOOD: Okay. Well, don't say nothing bad
10 about us until you mute yourself.

11 MR. RUEL: Just the last thing I'll say, Ms. Rivers,
12 if you want to give -- I know I have your contact information.
13 We've met multiple times. But if you want to give my contact
14 info around to Ms. Connor or anybody else, happy to get on a call
15 with them, meet them, or whatever it is.

16 MS. RIVERS: Okay, that's fine. Thank you.

17 CHAIRPERSON HOOD: Okay. Sounds great. All right.
18 Ms. Schellin, we don't have anyone else, right?

19 MS. SCHELLIN: Nothing else. It's a just a matter of
20 setting dates, I think.

21 CHAIRPERSON HOOD: Let me do closing. Let's do rebuttal
22 and closing first with Ms. Wilson, then we'll set the dates.

23 MS. SCHELLIN: Yeah. No other witnesses. I'm sorry.

24 CHAIRPERSON HOOD: Okay. Yeah, that's what I mean.
25 Okay. Thank you.

1 Ms. Wilson.

2 MS. WILSON: Thank you. I have a very, very brief
3 closing.

4 I'll just reiterate that the proposal is consistent
5 with the FLU map's designation as commercial and residential
6 moderate density. On balance, the proposal is consistent with
7 the Comp Plan and its policies and will result in the type of
8 development encouraged by the plan and policies, including
9 affordable and market rate housing and developing a long-time
10 vacant site with new housing and community-serving commercial
11 uses. Thank you.

12 CHAIRPERSON HOOD: Okay. Are you complete, Ms. Wilson?

13 MS. WILSON: Yes. Sorry. Yes, I'm finished. Thank
14 you so much.

15 CHAIRPERSON HOOD: All right.

16 Any follow up questions, colleagues?

17 Okay, I'm not seeing any.

18 I want to thank everyone who participated in this.

19 Ms. Schellin, do we have any dates?

20 But you know what? First of all, let me have a
21 conversation with my colleagues. I think even with the
22 opposition, I think there's another "bite at the apple." I know
23 there's a concern. We've heard that the Applicant is continuously
24 working. "Nice" is part of the accomplishment, I believe; that's
25 half the battle. So let me hear from others. I don't know what

1 more -- did we ask for anything?

2 Okay. So we haven't asked for anything. There is no
3 sense in us delaying -- we have a very busy schedule. And one
4 of us, as Vice Chair Miller and others have mentioned, will be
5 dealing with this on the BZA. So I think we can do it from our
6 zoning, MU-4. We have all the support, with the exception of a
7 few people with concerns and who probably can achieve and try to
8 mitigate some of that during the BZA process, which is more
9 specific to our process.

10 So let me hear from others if you are ready to move
11 forward, or do we just want to hold off and think about it, or
12 what we all want to do?

13 Commissioner May?

14 COMMISSIONER MAY: Yeah, I'm usually not fond of taking
15 action on the night of the hearing when we have opposition in
16 this case. I think we've heard everything that we need to know
17 about this. I don't think we'll necessarily learn anything new.
18 We're not expecting any additional information. And I think the
19 folks who are in opposition are talking to the Applicant and
20 hopefully the concerns that they're raising can be mitigated as
21 they move forward with the actual project. So even though I
22 don't normally support moving ahead on the night of the hearing,
23 in this case, I think I could if that's what the Commission wants
24 to do.

25 CHAIRPERSON HOOD: Okay. Thank you.

1 Commissioner Imamura?

2 COMMISSIONER IMAMURA: I'm prepared to move forward,
3 Mr. Chairman. I think this is ripe for action.

4 CHAIRPERSON HOOD: Okay.

5 And Vice Chair Miller?

6 VICE CHAIR MILLER: I agree. And I -- with a map
7 amendment, is it a two vote?

8 CHAIRPERSON HOOD: Yes.

9 VICE CHAIR MILLER: So there's not only another -- if
10 that's the case, there's not only the "bite at the apple" at the
11 BZA, there's the "bite at the apple" with us, if we're just taking
12 proposed action tonight. So I'm ready to move forward.

13 CHAIRPERSON HOOD: Okay. All right. I don't think
14 we've asked for anything, so I don't think we're going to see
15 anything new. We might have on different colored shirts or might
16 have the same shirt on, I don't know.

17 All right. So with that, would somebody like to make
18 a motion?

19 COMMISSIONER IMAMURA: Sure, Mr. Chairman.

20 CHAIRPERSON HOOD: Thank you.

21 COMMISSIONER IMAMURA: I move that the Zoning Commission
22 take proposed action for zoning Case No. 21-14, New Macedonia
23 Baptist Church, map amendment at Square 4220, Lot 802, 2026
24 Jackson Street Northeast, and ask for a second.

25 COMMISSIONER MAY: Second.

1 VICE CHAIR MILLER: Second.

2 CHAIRPERSON HOOD: Okay. It's been moved and properly
3 second. We have two seconds.

4 COMMISSIONER IMAMURA: It must have been a good motion.

5 CHAIRPERSON HOOD: Yeah. Moved and properly second.
6 Any further discussion?

7 (No audible response.)

8 Not hearing any, Ms. Schellin, would you do a roll call
9 vote, please?

10 MS. SCHELLIN: Commissioner Imamura?

11 COMMISSIONER IMAMURA: Yes.

12 MS. SCHELLIN: Commissioner Miller?

13 VICE CHAIR MILLER: Yes.

14 MS. SCHELLIN: Commissioner Hood?

15 CHAIRPERSON HOOD: Yes.

16 MS. SCHELLIN: Commissioner May?

17 COMMISSIONER MAY: Yes.

18 MS. SCHELLIN: Proposed action is approved by a vote
19 of 4-0-1, the minus one being the third mayoral appointee
20 position, which is vacant.

21 And may I ask for a draft order within two weeks, Ms.
22 Wilson? So if you could submit that to the record and then email
23 me a Word version by October 3rd. And that's all I have.

24 CHAIRPERSON HOOD: We don't have anything else in this
25 case. So I want to thank everyone: the Applicant, the ANC, the

1 residents who testified and everyone who's worked in this; the
2 Office of Planning, DDOT, and everybody who has worked on this
3 case. We appreciate this hearing, this proceeding, and continue
4 to look for the involvement as you move forward to the other
5 process and achieving this project for the best interests of the
6 City and the residents here in Ward 5.

7 Let me just say, the Zoning Commission will be having
8 a roundtable this week, September the 22nd, on racial equity.
9 I've said this previously, I think -- I don't know how many people
10 we've had sign up. We need help in helping us get there, so we
11 won't just be talking racial equity. I know Ms. Wilson talked
12 about it tonight and some of the things they've achieved. But
13 we want to make sure that we actually achieve it. The Council
14 has mandated the Zoning Commission, by law, to put that in our
15 Comp Plan for us to deal with. So we want to make sure -- not
16 only just come up here and talk about it, but actually is applied
17 and actually works. So we're looking for solutions to make sure
18 what we're doing -- first of all, help us fine-tune it. I think
19 we have a dynamite piece now, but help us fine-tune it and make
20 it perfected and work better.

21 The complaints -- I've said this many times and I'll
22 say this again Thursday -- I get the complaints. I got plenty
23 of complaints. We need some help in making sure "the rubber
24 meets the road," that this actually is effective as outlined by
25 the Mayor and the City Council. And this will be September 22nd

1 at 4:00 p.m. on these same platforms. Correct, Ms. Schellin? I
2 don't want to give them the wrong information.

3 MS. SCHELLIN: No, that's correct. If I could just
4 say one more thing, just so Ms. Wilson will know. We'll put this
5 case on for final action at the October 27th meeting, just so
6 you'll know.

7 CHAIRPERSON HOOD: Okay. So with that, I want to thank
8 everyone for their participation in this hearing tonight and have
9 a great evening. Good night.

10 MS. SCHELLIN: Thank you.

11 (Whereupon, the above-entitled matter went off the
12 record at 5:06 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: 09-19-2022

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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