

GOVERNMENT OF
THE DISTRICT OF COLUMBIA

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ZONING COMMISSION

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PUBLIC HEARING

+ + + + +

THURSDAY

JUNE 1, 2023

+ + + + +

The Public Hearing of Case No. 22-34 by the District of Columbia, Zoning Commission convened via video-teleconferencing, pursuant to notice at 4:00 p.m. EDT, Anthony J. Hood, Chairperson, presiding.

ZONING COMMISSION MEMBERS PRESENT:

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

OFFICE OF ZONING STAFF PRESENT:

ELLA ACKERMAN, Secretary
PAUL YOUNG, Data Specialist

OFFICE OF ZONING LEGAL DIVISION STAFF PRESENT:

JACOB RITTING, Esquire

The transcript constitutes the minutes from the Regular Public Hearing held on June 1, 2023

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

(4:00 p.m.)

CHAIRMAN HOOD: Good afternoon, ladies and gentlemen.
Today's date is June the 1st, 2023. We are convening
and broadcasting this public hearing by videoconferencing.

My name is Anthony Hood, and I am joined by Vice Chair
Miller, Commissioner May, and Commissioner Imamura. I'm also
joined by the Office of Zoning staff, Ms. Ella Ackerman, as well
as our Office of Zoning Legal Division, Mr. Ritting.

I will ask all 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 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 we will call your 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 before providing
your testimony. When you are finished speaking, please mute your

1 audio. If you experience difficulty accessing Webex, or with
2 your telephone call-in, or have not signed up, then, please, call
3 our OZ Hotline number at 202-727-0789.

4 If you wish to file written testimony or additional
5 supporting documents during the hearing, then please be prepared
6 to describe and discuss it at the time of your testimony.

7 This hearing will be conducted in accordance with the
8 provisions of 11-Z, DCMR, Chapter 4 as follows: Preliminary
9 matters, the applicant's case.

10 The applicant has up to 60 minutes, but I believe we
11 can hit the highlights and everything within 10. Report of other
12 government agencies, report of the Department of Transportation,
13 and then we'll have the report of the Office of Planning, and
14 the report of the ANC, in this case is ANC-4B and 4D,
15 respectively, I believe.

16 And then we'll have testimony of organizations, five
17 minutes, and individuals three minutes, and we will hear in the
18 following order from those who are in support, opposition, and
19 undeclared. Then, rebuttal and closing by the applicant. Again,
20 the OZ Hotline number is 202-727-0789 for any concerns during
21 this proceeding.

22 The subject of this evening's hearing is Zoning
23 Commission, Case No. 22-34. It's the Berean Baptist Church, Map
24 Amendment at Square 2991, Lot 77 at 924 Madison Street, N.W.

25 At this time, the Commission will consider any

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1 preliminary matters.

2 Ms. Ackerman?

3 Ms. Ackerman, I didn't say, Ms. Schellen. I said, "Ms.
4 Ackerman" when I did my opening statement, right?

5 MS. ACKERMAN: I think so. Yeah.

6 CHAIRMAN HOOD: Okay. Well, Ms. Ackerman, if I said
7 Ms. Schellen, forgive me so.

8 MS. ACKERMAN: Okay.

9 CHAIRMAN HOOD: Habits are sometimes hard to break.

10 So, anyway, Ms. Ackerman, do we have any preliminary
11 matters?

12 MS. ACKERMAN: Yes. So, the applicant tonight will be
13 represented by Kyrus Freeman of Holland and Knight, and they plan
14 to take about 10 minutes to present. Since the set down on March
15 9th, we've had a few reports come in.

16 Exhibit 20, we have a report from ANC-4D in support.
17 At Exhibit 25, we have the OP hearing report in support as well,
18 and at Exhibit 26, we have the DDOT report without any objections.

19 The only ANC to sign up tonight to testify is ANC-6B.
20 They will be represented by Gerald Sroufe. I believe that's how
21 you say his name. The expert witnesses tonight are Pastor Robert
22 Childs of Berean Baptist Church. He needs to be accepted as a
23 witness by the Commission, and then we have Brandice Ellis --
24 Elliott. She is in Land Use Planning with Holland and Knight,
25 and she has already been accepted.

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1 CHAIRMAN HOOD: Okay, generally -- thank you, Ms.
2 Ackerman. I think it's -- I think you said 6B, it sounded like.
3 I think it's 4B, correct?

4 MS. ACKERMAN: So, 4, those were 4B and 4D. It
5 was -- they were on the hearing report, yes, but who actually
6 signed up to testify, it says here with 6B (inaudible.)

7 CHAIRMAN HOOD: 6B? Okay.

8 MS. ACKERMAN: Yeah, 6B.

9 CHAIRMAN HOOD: Okay.

10 MS. ACKERMAN: That's what he signed up as, so we'll
11 see.

12 CHAIRMAN HOOD: All right. Well, we'll do it with
13 6B. Okay, that's -- I'll wait to get there. Maybe I'll understand
14 it better by and by.

15 All right. So, anything else? We have Ms. Brandice
16 Elliott, I believe, that you mentioned as an expert.

17 MS. ACKERMAN: Yes. He is the Pastor for the Church
18 in the case tonight and his name is Robert Childs. He's signed
19 up to testify.

20 CHAIRMAN HOOD: Yeah. I'm familiar with Reverend
21 Childs. I'm going to do a disclosure on that.

22 MS. ACKERMAN: Okay.

23 CHAIRMAN HOOD: But, I mean, you mentioned Ms. Elliott.
24 So, any objections to Ms. Elliott being an expert?
25 Okay. So, we're familiar. Okay, no objections.

1 Again, as I did from the set down, I'm familiar with
2 Pastor Childs, and I do this -- I've been doing this long enough
3 to know, I don't want anything to come up later. I have nothing,
4 or it's not -- I'm not biased or anything to this particular
5 case. I will judge this case on the record, as it is, on the
6 record of this case.

7 And I'm sure others probably know him as well. He was
8 a school board member. I think I mentioned this previously. I
9 know Rob knows him and others, but anyway, I'll leave it at that.
10 I want to put that out there so there's no confusion and no
11 problems later on, if there -- if it happens to come up, but I
12 doubt it, but I'm always cautious.

13 Anything else, Ms. Ackerman?

14 MS. ACKERMAN: No, that is all.

15 CHAIRMAN HOOD: Okay. And I don't think Mr. Childs
16 -- Pastor Childs is just a regular witness, so I don't think we
17 need to do anything with that.

18 So, let's bring up Mr. Freeman, unless I hear from my
19 colleagues, then we'll right ahead and move forward.

20 And for the record, I got Ms. Elliott's name correct.

21 MR. FREEMAN: Good evening, Mr. Chairman and Members
22 of the Commission. For the record, Kyrus Freeman with the Law
23 Firm of Holland and Knight on behalf of the applicant.

24 Our primary witness tonight is Brandice Elliott, if
25 you can allow her to participate or promote her to a panelist.

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1 Pastor Childs is on and available, if you can promote him just
2 in the event that the Commission has any questions for him.

3 Given the instruction to just hit the highlights, I'll
4 do a quick opening statement and then we'll have Ms. Elliott go
5 through her presentation. But again, Kyrus Freeman, on behalf
6 of the applicant.

7 As the Commission knows, as you indicated, Mr. Chairman
8 Hood, we filed an application to re-zone the property from RF-1
9 to RA-2.

10 The record, in our view, is pretty clear. Voluminous,
11 in terms of how we meet the standards for relief or approval of
12 the application in terms of consistency with the comp plan,
13 particularly when viewed through a racial-equity lens. That's
14 Exhibit 3, 14, 24 in our PowerPoint at Exhibit 29, which Ms.
15 Elliott will go through.

16 We're happy to have the support of the Office of
17 Planning -- Office of Planning at Exhibits 22 and 25, as well as
18 DDOT at Exhibit 26, and the ANC's 4B as in boy at Exhibit 11, 4D
19 as in dog at Exhibit 20.

20 So, we think the record here is clear and
21 overwhelmingly indicates that the application meets the standards
22 for approval, and with that, I'll turn it over to Ms. Elliott to
23 walk us through our -- quickly walk us through our hearing
24 presentation.

25 So, I think, Mr. Young, hopefully, you have that. It's

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1 Exhibit 29 of the record.

2 MS. ELLIOTT: Thank you, Mr. Young.

3 Good afternoon, Chair Hood and Members of the
4 Commission. Thank you for remembering my name. That always
5 makes me feel a little bit special.

6 All right. I hear that the Commission would like a
7 brief presentation, so I'm going to do my best to oblige.

8 If we could go ahead and go to the next slide, Mr.
9 Young.

10 The property, as you know, is located near the Georgia
11 Avenue corridor along Madison Street. It's currently zoned RF-
12 1, and the applicant is proposing to rezone it to RA-2. It's
13 about 14,000 square feet and currently improved with a church.

14 The next slide, please.

15 We've provided just some images just for context. You
16 can see that there's a community center and park across the
17 street, and then to the east and the south of the church, there
18 are existing apartment houses. They're probably about 40 feet
19 in height, based on when they were constructed, and then that
20 scales down to row houses further along to the east. There,
21 again, you see the commercial corridor to the west of the site.

22 Next slide, please. So, the standard of review for a
23 Map amendment is that it should not be inconsistent with the
24 comprehensive plan or the future Land Use map or Generalized
25 Policy map.

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1 So, if we could go to the next slide, we could jump
2 into that. The future Land Use map designates the property as
3 moderate-density residential and in the description of this
4 designation, RA-2, the RA-2 zone is deemed as being consistent
5 with this category.

6 The Generalized Policy map designates the property as
7 neighborhood conservation area, and although the purpose of this
8 designation is to conserve and enhance established neighborhoods,
9 it's also intended not to preclude development, particularly when
10 it's addressing citywide housing needs, which as an RA-2 zone,
11 it would increase the residential density potential on the lot.

12 Next slide, please. So here, as we always do, there's
13 a comparison of the existing RF-1 zone development standards and
14 the RA-2 development standards.

15 The primary difference is that we have a flat zone
16 versus an apartment zone, so it does provide increased density
17 and a slightly higher height.

18 Next slide, please. We all know that equity is an
19 important component of the comprehensive plan. And I think we're
20 familiar with these passages from a comprehensive plan, so I'll
21 go ahead and move to the next slide where we can start the
22 analysis, because there are four parts to the racial-equity tool
23 that I'm going to skim over now, and I'll be happy to jump back
24 to anything if I miss it, or if the Commission has questions
25 later.

1 Can we go to the next slide, please?

2 So, the first part of the Racial Equity Tool is
3 providing guidance regarding the comprehensive plan.

4 We have provided a detailed statement in the record,
5 identifying the policies that would be advanced by this Map
6 amendment and that includes increased housing, affordable
7 housing, and diversified housing options. It also includes some
8 environmental and transportation policies that would improve the
9 site.

10 Next slide. The next slide, please.

11 Part two of the Racial Equity Tool is actually the most
12 lengthy part. So, we've got a few slides here, and I'm going to
13 try to breeze through them.

14 But the first part of the community guidance and
15 engagement is identifying who is actually in this community, and
16 what we've done is provided the data for the actual census tract
17 in which the property is located, so it provides more specific
18 data related to the neighborhood, and what we see is that it is
19 a predominantly black neighborhood, although it is fairly
20 culturally diverse, because 24 percent of the residents are
21 foreign-born, 22 percent are Hispanic.

22 We also see that the median household income is lower
23 than the district-wide average, as is the median home value.

24 The poverty rate is pretty low when compared to the
25 district wide percent of over 15 percent.

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1 Next slide, please. So the Racial Equity Tool also
2 requests that we provide past and present racial discrimination.

3 The Brightwood neighborhood was a rural enclave for
4 black landowners and displacement began with the Civil War and
5 it escalated in the 1930's, when racial covenants were declared
6 illegal. White flight began to happen and that escalated in the
7 1950's, and so there was a lack of investment in this neighborhood
8 for quite a period of time.

9 Berean Baptist actually was constructed in 1968,
10 designed by a black architect, and it has been a part of the
11 community for 55 years -- or over 55 years.

12 Next slide, please. There have been several community
13 meetings, and so when -- but before the ANC boundaries were
14 changed, the property was in ANC-4B, so there were several
15 meetings with that ANC, and at the beginning of the year when
16 the boundaries changed, there were several meetings with ANC-4D.

17 The church has also held several community meetings.
18 They continue to meet with the affected neighbors, and then there
19 was an open house at the church and then a congregational meeting
20 at the church as well.

21 The next slide, please. So, also, as part of the
22 community guidance and engagement portion of the Racial Equity
23 Tool, we are to identify what the priorities are.

24 The Map amendment that would re-zone a property from
25 RF-1 to RA-2 would advance several of the community priorities,

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1 including, increased housing, increased affordable housing,
2 diversified housing options.

3 Because we are coming out of budget season, we just
4 wanted to note that the Mayor identified her priorities for the
5 neighborhood as housing investments, school, transportation, and
6 environmental investments.

7 The community itself has indicated that a priority for
8 them is for the future development to provide sufficient on-site
9 parking. This is a Map amendment and we're not requesting any
10 relief, but it is intended that future development of the site
11 would comply with all of the development standards for the zone.

12 Next slide, please. All right. Part three of the
13 Racial Equity Tool is concerning disaggregated data. And what
14 we see here is, essentially, a reflection of the smaller
15 community.

16 This is disaggregated data for the entire planning
17 area, and Rock Creek East is fairly large. It covers a spectrum
18 of neighborhoods, but, nonetheless, similar characteristics with
19 median household income is lower than the district-wide -- the
20 district overall.

21 We also see that the area is predominantly black or
22 African American, but it has been decreasing since 2000, when it
23 used to be considerably higher.

24 There's been a lot of development in this planning area
25 since 2000, and so there has also been a lot of new residents.

1 Most of them have been white, as the white population
2 has doubled, but there's also a significant Hispanic population
3 in the area, because that's more than double the district-wide
4 average.

5 Also, it's important to note that this is a fairly
6 stable planning area, because 57 percent of the households are
7 owned, whereas, 43 percent are rented.

8 Next slide, please. And so this is the final part of
9 the Racial Equity Tool, and so this is the evaluation of the Map
10 amendment through a racial-equity lens and a determination as to
11 whether what -- as to what the effect it will have on the
12 community. And overall, we find that this Map amendment will
13 have a positive impact.

14 There would be no physical displacement, because there
15 are currently no residential dwelling units on the property.

16 The RA-2 zone supports increased housing in the
17 increased IZ-plus set-aside, so more affordable housing.

18 And what we do know, what the comprehensive plan states
19 is that "increasing the housing supply reduces the cost of housing
20 in the long term."

21 Once the site is developed, there would be physical
22 improvements. That includes stormwater and circulation
23 improvements, and by virtue of where the site is located, close
24 to the Georgia Avenue corridor, it has access -- it will provide
25 access to opportunity for future residents, because it will have

1 Metro and bus access, and then -- but -- and then it would also
2 provide regional employment access and access to recreation
3 facilities and other District amenities, including neighborhood
4 serving retail along Georgia Avenue.

5 Again, the community has requested that sufficient on-
6 site parking be provided, and that is intended.

7 Next slide, please. So, in our statement, which is in
8 the record, we did identify a few potential inconsistencies, but
9 those inconsistencies are outweighed by several other policies
10 and considerations, including consistency with the future Land
11 Use map and the Generalized Policy map, as well as several other
12 policies related to housing, and affordable housing, and creating
13 diversity within the neighborhoods, and equitable transportation
14 access.

15 It's also furthering the Housing Equity report, as well
16 as the Mayors' DC Comeback Plan.

17 Next slide, please. And so just in conclusion, the
18 proposed Map amendment to RA-2, it's not inconsistent with the
19 comprehensive plan when evaluated through the racial-equity lens,
20 and then as we've stated, "any of the potential inconsistencies
21 are outweighed by other policies."

22 So, that concludes my presentation. I'm happy to
23 answer any questions that you have.

24 MR. FREEMAN: Mr. Chairman, that concludes the
25 applicant's presentation and we're happy to answer any questions.

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1 Thank you.

2 CHAIRMAN HOOD: Okay. Thank you, Mr. Freeman and
3 Ms. Elliott.

4 And, again, Ms. Elliott, I'll probably say that for a
5 while, because I messed your name up for so many years, so bear
6 with me. I applaud myself every time I get it right.

7 So, let me open up for questions and comments.
8 Commissioner May?

9 COMMISSIONER MAY: Nothing for me, Chairman Mitten.

10 CHAIRMAN HOOD: Okay. Commissioner Imamura?

11 COMMISSIONER IMAMURA: Thank you, Mr. Chairman, and
12 thank you, Ms. Elliott, for your presentation.

13 I just want to give you an opportunity -- actually,
14 before I ask a question here, I just wanted to compliment whoever
15 put the slide deck together.

16 I thought, there's improvement here that I've seen over
17 time, so I appreciate Slide No. 10, Part 2. Again, Community
18 Guidance and Engagement with the infographics, so that was very
19 helpful and easy to read.

20 Same with the illustration for Slide No. 11, where
21 you're talking about past and present and racial discrimination
22 and how you highlighted that.

23 Even your comment about the lack of community
24 investment and then coming back on a later slide to talk about
25 the Mayor's intentions to provide an investments area.

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1 And then Slide 16, certainly I appreciate the way you
2 outlined the potential inconsistencies in the outweighing policy.

3 So, that's really more for anybody who's listening to
4 take note of that, so I appreciate that as well.

5 Slide 12 also talked a little bit about your community
6 engagement and that's where I want to focus my questions there.
7 Appreciated the way that was laid out. I would add that maybe
8 in future presentations, a timeline might be helpful to see that.

9 So, the way that was laid out with how you boldfaced
10 the dates, I thought that was great, but I think a timeline would
11 be helpful to see that visually.

12 Noticed three engagements with ANC-4B, and three
13 engagements with ANC-4D, and then, of course, the Open House.
14 That kind of bookended both of those engagements.

15 So, here's my question. I want to give you an
16 opportunity to elaborate a bit more.

17 In your view, I'm curious to learn, what do you think
18 are the unique attributes of the community and how did that really
19 shape the public outreach and community engagement beyond and
20 what did you do beyond sort of reaching out to the ANCs and
21 bookending them with kind of this Open House opportunity for
22 those who weren't able to participate?

23 MR. FREEMAN: Is Pastor Childs on? He's probably the
24 best person to answer that, Commissioner.

25 COMMISSIONER IMAMURA: Sure. Pastor Childs, hello.

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1 MR. FREEMAN: Pastor Childs, can you hear us? Are you
2 on?

3 Okay. So, the question was how did you approach
4 community engagement?

5 MR. CHILDS: (Inaudible.)

6 MR. FREEMAN: We -- there we go. We can hear you now.

7 CHAIRMAN HOOD: Sounds like his -- Pastor Childs, it
8 sounds like you're mute. Hit your mute again and let's see what
9 happens. If that doesn't work, turn your video off. Not that
10 we don't want to not see you, but turn your video off, maybe that
11 will help your mute -- help your sound.

12 MR. YOUNG: So, it looks like he's not on mute. He
13 might need to go to the audio/video tab --

14 CHAIRMAN HOOD: Okay.

15 MR. YOUNG: -- and go to his -- go to the audio settings
16 and there's like a drop-down menu where it has your microphone.
17 You might just need to change which microphone you're set up
18 with.

19 CHAIRMAN HOOD: Okay. Let's give him a moment to get
20 that -- see if we can get that straight.

21 While we have a moment, I want Commissioner May to know
22 that it didn't go in my deaf ears that you call me Chairperson
23 Mitten.

24 COMMISSIONER MAY: I thought maybe Mr. Freeman was the
25 only one who heard me say that.

1 CHAIRMAN HOOD: Well, they said for years that Tom
2 Mitten and I always looked alike, so I just go along with it now.

3 MR. FREEMAN: Well, let me share a couple of thoughts
4 while Pastor Childs is getting his technical issues.

5 So, we started with the church and the congregation.
6 Commissioner, we fanned out. We did flyers. We had community
7 meetings.

8 We, specifically, for example, talked to a number of
9 the property owners on our block. So, for example, the property
10 to the immediate west of our site, between our property and
11 Georgia Avenue, the team met with that property owner to see if
12 they were even interested in being included in the application.
13 My understanding is they decided not to, but they didn't object
14 to the application.

15 So we started at the church. We spanned out to the
16 immediate neighborhood, and bookended, to use your phrase, with
17 the ANCs.

18 So, it was a church, out through the neighborhood
19 approach. There were door flyers and a lot of -- a lot of
20 outreach, because that's kind of consistent with what the church
21 typically does.

22 COMMISSIONER IMAMURA: Great. Thank you, Mr. Freeman.
23 That's very helpful.

24 One follow-up question to that. In addition, the
25 parking seems to be a central issue and input.

1 Any additional input from the community, and any --
2 what was that response or how did you respond to that?

3 MR. FREEMAN: So, there are two letters in the record
4 from folks that talk about concerns -- potential concerns about
5 on-street parking. Our response is two-fold.

6 First, that the (indiscernible) -- well, the Map
7 Amendment will ultimately lead to a project and that project will
8 comply with the off-street parking requirements. That's number
9 one.

10 And, secondly, this portion of Madison Street is not
11 restricted to RPP. So if there is a desire for folks to work
12 with DDOT and the ANC to get that in place, to help kind of manage
13 on-street parking, I don't -- the church would not object to that
14 process.

15 So, again, we're providing the amount of required
16 parking on site; and two, to the extent that there are other
17 processes outside of this, that can help address on-street
18 parking, we would be willing to support, participate in, or not
19 object to however that process is undertaken.

20 COMMISSIONER IMAMURA: All right. Thank you, Mr.
21 Freeman. Mr. Chairman, I'm satisfied with those responses and
22 appreciate the applicant's time. I yield back.

23 CHAIRMAN HOOD: Okay. Thank you. Vice Chair Miller,
24 any questions or comments?

25 VICE CHAIR MILLER: Thank you, Mr. Chairman, and thank

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1 | you to the applicant's team, Pastor Childs, Kyrus Freeman, and
2 | Brandice Elliott for bringing this Map amendment forward.

3 | As you pointed out, the primary standard of a review
4 | is its consistency with the comprehensive plan, and the
5 | comprehensive plan's Land Use map, as you've pointed out, and the
6 | record shows is moderate-density residential, which this proposed
7 | rezoning RA-2 is more in line with than the existing RF-1
8 | residential flat zone.

9 | The apartment house zone is more consistent and the Map
10 | amendment will facilitate the important comprehensive plan policy
11 | of allowing an existing faith-based institution to not only the
12 | opportunity to expand and modernize their facilities, but to
13 | create more housing on their property, particularly in this case,
14 | affordable housing, which is in line with their mission and the
15 | citywide policies in the comprehensive plan.

16 | So I appreciate all of the community engagement and
17 | outreach that the applicant has done with their neighbors ANC.
18 | First, ANC-4B, and then 4D, whose support we have in the record
19 | and the responsiveness to the two neighbors who were concerned
20 | about parking. I think there are existing processes, where --
21 | through the residential permit parking program, where -- which
22 | could mitigate any adverse effects, although we're not really
23 | looking at a project here at this point. We're looking at a Map
24 | amendment. This is consistent with the comp plan, and it will
25 | facilitate more housing and affordable housing in a place that

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1 the city needs it and calls for it.

2 So, I'm supportive of this going forward, Mr. Chairman,
3 and I agree with all the comments that have been made so far.

4 Thank you.

5 CHAIRMAN HOOD: Thank you, Vice Chair. I would echo
6 everyone's comments as well, and what I appreciate from the
7 applicant is the potential inconsistencies.

8 The potential inconsistencies, you all identified
9 three, and I appreciate that, but you also have some policies
10 that outweigh that, and you have, I think it's nine of them or
11 whatever the number is, and you outlined it on a slide for me to
12 be able to look at how that's offset and how we count it -- how
13 that can be countered, and so I appreciate that.

14 And I would encourage other applicants, if you're
15 listening or if you're ever going to watch this tape, do the
16 exact same thing, because it's very helpful to me as a
17 Commissioner.

18 And I also want to echo Vice Chair Miller's comments
19 about faith-based institutions in this city and this is one of
20 the things that we're seeing a lot of.

21 We helped everyone with COVID and how to be able to
22 offset tithes and offerings or whatever the case it is, and I
23 think this is going down that line to give our faith-based
24 community an opportunity to be able to do something, to be able
25 to sustain as well.

1 So, I don't have any problems with this. It looks like
2 it has overwhelming support. It looks like the even adverse
3 impacts or issues have been -- can be mitigated or have been
4 addressed, so thank you for your presentation.

5 And, Pastor Childs, we're sorry that we can't hear from
6 you, so maybe while waiting, you can cut all the way off and come
7 back on, or you're just fine?

8 I think Mr. Freeman and Ms. Elliott covered our issues,
9 but if you wanted to say -- at some point, if you can -- if you
10 wanted to say something, that would be great. If not, we
11 understand. I think the record is covered. You've covered. So,
12 we'll go from there.

13 MR. CHILDS: (Indiscernible.)

14 CHAIRMAN HOOD: Let's go to -- there you go --

15 MR. CHILDS: (Indiscernible.)

16 CHAIRMAN HOOD: Maybe, you know what? It sounds like
17 your volume needs to be turned up. If you go to the little arrow
18 -- well, on my computer, it's a little arrow and if you turn your
19 microphone up, as Mr. Young had mentioned, then we'll probably
20 be able to hear you. It's a little arrow going down. You just
21 highlight that. It should pop up with a scroll down, as Mr.
22 Young said, and you'll see microphone and just ride it. Ride it
23 across and it'll turn it up.

24 Okay. Well, keep working with it. We'll get to you
25 before -- Mr. Young --

1 Reverend Childs, can you call 2 on your -- if you have
2 your cell phone or whatever, call 202-727-0789, and, Mr. Young
3 probably can walk you through it, as we proceed with the hearing
4 and you can still listen, but he'll probably be able to walk you
5 through it.

6 MR. CHILDS: What's the number again?

7 CHAIRMAN HOOD: There, see. There you go. I can hear
8 you there. (Indiscernible) but it's something about -- but it's
9 202-727-0789, or maybe lean forward and speak up. Maybe, that's
10 -- maybe, that's what it is.

11 MR. CHILDS: Is this better now?

12 CHAIRMAN HOOD: Yeah. Now, we can hear you. So, go
13 right ahead.

14 MR. CHILDS: Great. Great. I was just hoping -- I
15 was praying so, hopefully -- I just, I want to thank the team,
16 Kyrus and Ms. Elliott for -- they put up -- you know, have been
17 working with us closely, but I did want to say that I've been
18 pastoring Berean since 1985, and we've always been a part of the
19 community, so it's not a first time that we've just stepped out
20 to say, you know, we are doing this, but we've been -- since we
21 thought about the project, we've been having conversations with
22 our neighbors, and then we decided once we got the drawings to
23 bring them in and show them exactly what was going to happen.

24 So, we've tried to reach out and we're going to have
25 more meetings. We said we would let them know every step of the

1 way.

2 Also, with the ANCs, we've been active with them and
3 then we switched from, as it was explained from 4B, and once they
4 re-drew the Maps to 4D, but it was important for us to make sure.

5 We've always had -- we've had Commission meetings in
6 the church. So we work closely with the recreation center right
7 across the street. So we've always been involved very closely
8 with community.

9 So, the church is a 146-year-old congregation. We've
10 been in DC. We want to remain in DC. We've been in the Brightwood
11 neighborhood for 55 years, as was said earlier, and so it's an
12 opportunity for us to stay in the community. That was the thing.
13 We wanted to maintain where we are, but yet now we'll be able to
14 provide for our seniors, because the building just sits there.

15 Now, it'll be able to be utilized every day of the
16 week. We'll have affordable housing for seniors. We've had a
17 senior program before. Now, we can offer even more.

18 So, for us, this is just important to maintain our
19 place and to continue to offer to the neighborhood services that
20 will be available for them.

21 Thank you, Chairman Hood, and thank you, Commission
22 members.

23 CHAIRMAN HOOD: Okay. Thank you, Pastor Childs, and
24 we'll see if we have any questions later on, but we appreciate
25 you, at least bringing us greetings and making a comment or two,

1 so, thank you.

2 MR. CHILDS: Thank you, sir.

3 CHAIRMAN HOOD: All Right.

4 Ms. Ackerman, do we have anyone from ANC-4B here that
5 wants to -- either 4B or D, even though I know the redistricting
6 has happened. I'm going to give either one an opportunity.

7 MS. ACKERMAN: I don't have anybody signed up for,
8 let's see, 4D or 4B, only -- I don't know if it was a typo, but
9 they signed up as 6B (indiscernible.)

10 CHAIRMAN HOOD: Okay. What do you have 6 --?

11 MR. YOUNG: It is.

12 CHAIRMAN HOOD: We'll get to them. They've signed up
13 for the 6B, and they'll present when we get to taking public
14 testimony. Okay? Okay.

15 MS. ACKERMAN: Okay.

16 CHAIRMAN HOOD: All right. And if they haven't any
17 -- if the person from 6B is from 4B, we'll make it up to you at
18 the end. We will just, we will deal with it then.

19 All right. Let's go, Ms. Ackerman. Let's see, do we
20 have anyone from any other government agencies besides the
21 reports that we have from DDOT and Office of Planning?

22 I'm going to ask the Vice Chair to be getting ready for
23 DDOT. I think they have no objections. I don't know. I think
24 we've read through it, so they have no objections.

25 Do we have any other government reports besides the

1 Office of Planning?

2 I'm going to go to the Office of Planning.

3 MS. ACKERMAN: No.

4 CHAIRMAN HOOD: okay.

5 MS. ACKERMAN: No, not that I see.

6 CHAIRMAN HOOD: Okay. Well, let's go to the Office of
7 Planning. Mr. Kirschenbaum?

8 MR. KIRSCHENBAUM: So, good afternoon, Chairman Hood
9 and Members of the Zoning Commission. I am Jonathan Kirschenbaum
10 with the Office of Planning.

11 Faith-based institutions represent a significant
12 opportunity for development of affordable housing, which is often
13 within their charitable mission.

14 As part of the Districts' Faith-Based Housing
15 Initiative, OP is committed to removing the zoning barriers that
16 prevent the development of new housing, particularly affordable
17 housing on land-owned by faith-based organizations, such as
18 Berean Baptist Church.

19 We recommend approval of the proposal to re-zone the
20 14,000 square foot property from RF-1 to RA-2, and find that the
21 proposal would be appropriate for IZ-plus.

22 Unbalanced, the proposed Map amendment is consistent
23 with the policies and the goals of the comprehensive plan,
24 including, the Future Land Use Map and Policy Map, which is on
25 the screen in front of you.

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1 Next slide, please.

2 We've reviewed the proposed Map amendment through our
3 racial-equity lens as part of the comprehensive plan consistency
4 analysis.

5 Analysis of the demographic data for the planning area
6 found that the black or African American population is the
7 predominant race in the planning area.

8 However, black or African American residents have
9 declined by almost 20 percent in the planning area between 2000
10 and 2021, while the overall population in the planning area has
11 increased close to 20 percent.

12 The household median income in the planning area is
13 higher for all races when compared to the District, with the
14 highest for white residents and the lowest for American Indian,
15 Alaskan Native, and residents who identify as some other race.

16 With regards to ethnicity, the median household income
17 for Hispanics and Latinos -- or Latinos is lower in the planning
18 area when compared to the District.

19 The percentage of owner-occupied households in the
20 planning area is higher for all races when compared to the
21 District, with the exception of residents who identify as some
22 other race, which is slightly lower than the District.

23 With regards to ethnicity, the percentage of owner-
24 occupied households in the planning area is also higher for
25 Hispanic or Latino residents than compared to the District.

1 The proposed Map amendment could provide an estimated
2 30 dwelling units overall where currently none exists, with an
3 estimated 20 percent IZ-plus set-aside requirement.

4 This planning area has both one of the lowest shares
5 of dedicated affordable units in the District and the second
6 highest need for more affordable units as identified in the 2019
7 Housing Equity Report.

8 It is anticipated that the RA-2 zone will provide
9 positive impacts on overall-housing options in terms of unit
10 sizes and affordability, which in turn can help provide
11 additional housing options for low-income households who are
12 often majority residents of color.

13 Redevelopment of the site would not result in direct
14 displacement, as there are currently no residential uses at the
15 property.

16 Indirect displacement is also not likely, because
17 increased residential density creates more housing options and
18 the comprehensive plan recognizes that without increased housing,
19 the imbalance between supply and demand drives up housing prices
20 that particularly impacts low-income residents. There should
21 also not be negative impacts -- excuse me -- negative physical
22 impacts, because the primary uses allowed by the RA-2 zone are
23 residential and community facility uses.

24 Finally, the proposal will be located near many
25 neighborhood opportunities, including: schools, retails,

1 supermarkets, and other recreational opportunities, and it would
2 be located along several major bus lines on Georgia Avenue.

3 This concludes my presentation. Please let me know if
4 you have any questions. Thank you.

5 CHAIRMAN HOOD: Thank you, Mr. Kirschenbaum and Office
6 of Planning.

7 I will say that I've mentioned over the past couple of
8 years to Ms. Steingasser, and I know she's working with a number
9 of clergy. I mentioned to her about going to the minister's
10 conference and I appreciate the Office of Planning's direction
11 and help that they have given, especially to the churches,
12 especially when you deal with the racial equity, as well as making
13 things easier for people to continue to, like I said earlier,
14 offset their tithes and often be able to sustain and stay in the
15 District of Columbia, especially during this time as Reverend
16 Childs has already mentioned.

17 I hear this from a lot of pastors in this city and I'm
18 glad that we're starting to do that and starting to evolve.

19 And, then, again, this is another example of moving
20 forward. I'm still waiting to hear from the community, but I
21 think it looks -- from the record, it looks like that, that's
22 going pretty well, so, I'll leave it at that and wait to hear
23 from others.

24 Let me see, Commissioner May. Do you have any questions
25 or comments?

1 COMMISSIONER MAY: I do not. Thank you.

2 CHAIRMAN HOOD: Okay. Commissioner Imamura, do you
3 have any questions or comments?

4 COMMISSIONER IMAMURA: Thank you, Mr. Chairman. I do,
5 just one.

6 Thank you, Mr. Kirschenbaum, for your succinct report
7 and analysis, and I just want to give you an opportunity, based
8 on your experience, to summarize the trends that you noticed in
9 the race and ethnicity data that you collected, and I'm curious
10 to know what your thoughts are on how this Map amendment might
11 impact those trends?

12 MR. KIRSCHENBAUM: Well, I think, as I previously
13 stated in the testimony, that this is a site that currently does
14 not have any housing at all, so more housing options will be
15 better overall. It will provide -- it will -- excuse me.

16 If it's redeveloped for residential uses, then it would
17 have an IZ-plus requirement, so it would provide increase of
18 affordable units, than if the property were not to be re-zoned.

19 And the planning area has seen a decline in the black
20 or African American population, so, you know, this could provide
21 further opportunities for people who may not be able to afford
22 housing in the planning area currently.

23 COMMISSIONER IMAMURA: Great. Thank you, Mr.
24 Kirschenbaum. I wanted to have those positive attributes
25 restated in the records. Thank you.

1 Mr. Chairman, I have no further questions.

2 CHAIRMAN HOOD: Thank you. Vice Chair Miller?

3 VICE CHAIR MILLER: No questions.

4 Thank you, Mr. Kirschenbaum, for the Office of Planning
5 report, particularly the comprehensive plan and Racial-Equity
6 Analyses. Thank you.

7 CHAIRMAN HOOD: Okay. Let's go to Mr. Freeman.
8 Mr. Freeman, do you have any questions of the Office of Planning?

9 MR. FREEMAN: No, sir. Just want to thank OP for their
10 support and review of the application.

11 CHAIRMAN HOOD: And, also, ANC 4 -- 4. What was it,
12 4? Getting tongue-tied now. All of these acronyms, ANC-4D and
13 4B, I believe. Anymore, Ms. Schellin? I mean, not Ms. --
14 Ms. Ackerman, do we have anything from ANC-4B or D?

15 MS. ACKERMAN: No.

16 CHAIRMAN HOOD: Okay. Thank you.

17 All right. Let's keep it moving. Let's move right on
18 to testimony.

19 Ms. Ackerman and Mr. Young, if you all can bring up
20 those who are the A -- no, I'm sorry. We don't have anyone from
21 the ANC, so I'm going to do -- I think both Agencies -- let me
22 do their reports right quick, and I want to be courteous to both
23 ANCs, because I appreciate the work that they've done pre-
24 redistricting and after redistricting. And I'll just summarize
25 very quickly as soon as I find it on my sheet. Give me one

1 moment, please.

2 (Pause.)

3 CHAIRMAN HOOD: Okay. ANC 4B, this is our Exhibit 11
4 voted 7-0-0 to support the applicant's request for a Map
5 amendment, and ANC-4D, as well, voted on April the 7th, 2023, was
6 more current. ANC-4D voted 8-0-0 to support the applicant's
7 request for the Map Amendment.

8 And the first ANC-4B previously voted on January the
9 20th, 2023, as noted.

10 So, those are the reports and both of them are in
11 support of the Map amendment.

12 Let's go to any organizations of individuals who are
13 here. Ms. Ackerman and Mr. Young, if we can bring them up, who
14 are in support. Let's bring whoever we have up. It doesn't
15 necessarily -- they can tell us whether they support, opposition,
16 or undeclared.

17 Anybody who's ready, who signed up to testify, and
18 especially the person from 6B, I want to make sure we have that
19 covered.

20 MR. FREEMAN: So, Ms. Ackerman, if you can tell me who
21 was signed up?

22 MS. ACKERMAN: Yes. So, the person from 6B actually
23 signed up, but he's not here at the moment.

24 There is a man named Bokhar Mohammed. I believe he is
25 here.

1 MR. FREEMAN: He's with the development team.

2 MS. ACKERMAN: Oh, okay.

3 CHAIRMAN HOOD: Is he in support, Mr. Freeman?

4 MR. FREEMAN: Yeah.

5 CHAIRMAN HOOD: Okay.

6 MS. ACKERMAN: And then is Christopher Miller? Is he
7 with you guys as well?

8 MR. FREEMAN: He's with the development team as well.

9 MS. ACKERMAN: Okay. Then that's everybody.

10 CHAIRMAN HOOD: So, Ms. Ackerman, the person's name
11 that's from 6B, could you give me that name, please?

12 MS. ACKERMAN: Yes, it's Gerald, G-E-R-A-L-D, and then
13 his last name is Sroufe, S-R-O-U-F-E.

14 CHAIRMAN HOOD: Okay. So, that person has --
15 Ms. Ackerman, I'm not going to dare try to pronounce that, because
16 I don't have the spelling in front of me -- is not in attendance
17 and we did call for them. They're not here, so we'll go from
18 there.

19 All right. Unless, I hear from my colleagues, let's
20 go to any -- certainly, Mr. Freeman, you don't have any rebuttal
21 or do you have any closing?

22 MR. FREEMAN: No. I think you heard that from everyone
23 how the application meets the standards for relief. I think, as
24 you noted, I'm not sure who the 6B representative is, but we're
25 nowhere in or near 6B, but to the extent they have any questions,

1 | they should certainly feel free to reach out to us.

2 | We're anxious to get this project moving forward, so
3 | we would ask the Zoning Commission to take proposed action to
4 | approve at your soonest -- soonest convenience.

5 | Thank you for your time.

6 | CHAIRMAN HOOD: Okay, thank you.

7 | And I know that, and as Pastor Childs already
8 | mentioned, I know that they will continue to work with the
9 | community as they go through this process. That's their past,
10 | and I'm sure that's their present as well. They have a track
11 | record of doing that.

12 | So, that gives me a very comfort level of moving
13 | forward, especially with the support and the voluminous -- and
14 | the support in this voluminous record -- well, not voluminous,
15 | but in this record, the support that's there, so I'll leave it
16 | at that.

17 | Colleagues, I think -- and again, I want to thank you,
18 | Pastor Childs, Ms. Elliott, and Mr. Freeman for your presentation
19 | and all those -- and the Office of Planning, and all those in
20 | getting us to this point, because the work that you have done to
21 | get us to this point, where it's not a major issue for the
22 | Commission has to -- for us to have to go back-and-forth, shows
23 | -- it is a credit to you all for all the work you've done.

24 | Let me open it up and see if my colleagues have any
25 | questions. I think it's ready to move forward. Let me hear from

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1 others. Commissioner May?

2 COMMISSIONER MAY: I don't have anything more to add.
3 I think you summed it up pretty well. The application is very
4 thorough. The applicant has done a good job with community
5 outreach and gathering support for it and making the
6 comprehensive plan case. All of that, it seems like it's right
7 for a decision to me.

8 CHAIRMAN HOOD: Okay. Thank you.

9 Commissioner Imamura, any questions or any comments?

10 COMMISSIONER IMAMURA: No, Mr. Chairman. I'm ready
11 to move forward in support.

12 CHAIRMAN HOOD: Okay. And, Vice Chair Miller?

13 VICE CHAIR MILLER: I concur with my fellow-
14 Commissioners.

15 CHAIRMAN HOOD: Okay. So, my next question is: Would
16 somebody like to make the motion?

17 VICE CHAIR MILLER: I would like to make a motion.

18 CHAIRMAN HOOD: Great. Thank you.

19 VICE CHAIR MILLER: I would move that the Zoning
20 Commission take proposed action on Zoning Commission Case 22-34,
21 that's Berean Baptist Church, Map amendment from RF-1 to RA-2,
22 Square at 2991, Lot 77 at 924 Madison Street, N.W., and ask for
23 a second? And this is a Map amendment with IZ-plus notation. I
24 should note for the record.

25 COMMISSIONER MAY: Second.

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1 CHAIRMAN HOOD: It's been moved and properly seconded.
2 Any further discussion? Not hearing any. Ms. Ackerman, could
3 you do a roll-call vote, please.

4 MS. ACKERMAN: Yes. Commissioner Miller?

5 VICE CHAIR MILLER: Yes.

6 MS. ACKERMAN: Commissioner Imamura?

7 COMMISSIONER IMAMURA: Yes.

8 MS. ACKERMAN: Commissioner Hood?

9 CHAIRMAN HOOD: Yes.

10 MS. ACKERMAN: Commissioner May?

11 COMMISSIONER MAY: Yes.

12 MS. ACKERMAN: Zoning Case Number 22-34, Berean Baptist
13 Church has been approved 4-0-1 for a proposed action.

14 CHAIRMAN HOOD: Okay. Thank you,
15 Ms. Ackerman. Ms. Ackerman, do we have anything else before us
16 tonight?

17 MS. ACKERMAN: No, we do not.

18 CHAIRMAN HOOD: Okay. Before I do thank you's, the
19 Zoning Commission will meet again on June the 5th, 2023. We have
20 Case Number 22-32, which is 1232 Shift Cube Partners, LLC, on
21 these same platforms at 4:00 p.m. That's this coming Monday.

22 So, with that, I want to thank everyone for their
23 participation tonight. Keep up the good work. Looking forward
24 to hearing what's going to prevail and with that, I want to say
25 good night and thank you everyone.

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1 MR. FREEMAN: Good night. Thanks, everybody.

2 PASTOR CHILES: Thank you.

3 (Whereupon, the above-entitled matter went off the
4 record at 4:52 p.m.)

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