

GOVERNMENT OF  
THE DISTRICT OF COLUMBIA

+ + + + +

ZONING COMMISSION

+ + + + +

REGULAR PUBLIC MEETING

+ + + + +

THURSDAY

JUNE 29, 2023

+ + + + +

The Public Meeting of the District of Columbia Zoning Commission convened via teleconference, 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:

SHARON S. SCHELLIN, Secretary  
PAUL YOUNG, Zoning Data Specialist

OFFICE OF ZONING LEGAL DIVISION STAFF PRESENT:

JACOB RITTING, Esquire  
HILLARY LOVICK, Esquire  
DENNIS LIU, Esquire

The transcript constitutes the minutes from the Regular Public Meeting held on June 29, 2023.

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

2 (4:00 p.m.)

3 CHAIRMAN HOOD: Good afternoon, ladies, and gentlemen.

4 We are convening and broadcasting this public meeting by  
5 videoconferencing. My name is Anthony Hood. Joining me are Vice  
6 Chair Miller, Commissioner May, and Commissioner Imamura. We are  
7 also joined by the Office of Zoning staff, Ms. Sharon Schellin  
8 and Mr. Paul Young, who will be handling all of our virtual  
9 operations, as well as our Office of Zoning legal division, Ms.  
10 Lovick, Mr. Ritting, and Ms. -- Mr. -- excuse me, Mr. Liu. I  
11 will ask all others to introduce themselves at the appropriate  
12 time if needed. Copies of today's meeting agenda are available  
13 on the Office of Zoning's website.

14 Please be advised that this proceeding is being  
15 recorded by a court reporter and it's also webcast live, Webex,  
16 and YouTube Live. The video will be available on the Office of  
17 Zoning's website after the meeting. Accordingly, all those  
18 listening on Webex or by phone will be muted during the meeting,  
19 unless the Commissioners suggest otherwise. For hearing actions,  
20 the only documents before us this evening are the application,  
21 the ANC set-down report, and the Office of Planning report. All  
22 other documents -- windows open up, excuse me -- all other  
23 documents will be in the record and will be reviewed at the time  
24 of the hearing. Again, we do not take any public testimony at  
25 our meetings, unless the Commissioners request someone to speak.

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Commented [DG1]: None of these should be spaces, new paragraphs should ALWAYS be tabs, NEVER spaces.

1           If you experience difficulty accessing Webex, or with  
2 your phone call-in, then please call our OZ hotline number at  
3 202-727-0789 for Webex log-in or call-in instructions.

4           At this time, does the staff have any preliminary  
5 matters?

6           MS. SCHELLIN: No, sir.

7           CHAIRMAN HOOD: Okay. Let me start right off with the  
8 agenda. The first case is a special case that I'd like to call.  
9 The Zoning Commission Case No. S-T-E-V-E, and I will go to Ms.  
10 Steingasser. If we can, bring Ms. Steingasser up.

11           Again, for the record, the first case is the Zoning  
12 Commission Case No. S-T-E-V-E, and I don't have the last name  
13 spelled in front of me, so I don't want to mess that up, so.

14           So Ms. Steingasser?

15           MS. STEINGASSER: Thank you, Chairman Hood, and I  
16 appreciate the opportunity to say a few words.

17           So as we know, Steve Cochran, C-O-C-H-R-A-N, has been  
18 threatening to retire for almost a year and unfortunately that  
19 day is approaching. So he retires on July 14th, making this the  
20 last Zoning Commission meeting that he will be attending, and so  
21 I don't think any of us are already for it. I know at OP we are  
22 not ready.

23           So Steve started at OP in 1999, and has -- there was  
24 only 13 people in the agency at the time from receptionist to  
25 director, and Steve's been with us for all that time, and the

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1 agency's now over 80 people. And I say that not to brag about  
2 the growth of the agency, but to put a spotlight on Steve's  
3 influence. He's been there and he's kind of onboarded each and  
4 every one of us and shared his information and knowledge about  
5 how to deal with D.C. and the relationship with the federal  
6 government and just the whole configuration of land use and zoning  
7 in D.C., which truly is unique.

8           So he's had a -- excuse me -- what I call a foundational  
9 influence on the agency, and especially on development review and  
10 the development process that we're all a part of. He knows a  
11 lot of information, both current and institutional, and he's been  
12 extremely generous in sharing that knowledge and has had, I think,  
13 a lasting contribution on the city through several of his own  
14 personal interests, including an emphasis on design. And that  
15 design, whether it's urban design, the overall site planning, the  
16 landscape design, or the actual architectural details of a  
17 building, Steve has really pushed and has always pressed that as  
18 an important element for us to consider, and in many cases even  
19 when somebody's requesting a variance, he would like to leverage  
20 it to get better design way beyond the tests of the BZA. And in  
21 all of our cases, so many of the buildings had ended up better  
22 for it because Steve, again, generous, generous with his opinions  
23 and help with others.

24           But I also want to take a moment just to kind of  
25 highlight, as I say, "Steve by the numbers," like what has --

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1 | what do the numbers say about Steve's work? He's issued over  
2 | 700 reports, dating back to about 20 -- our numbers go back to  
3 | 2002, so the first three years we can't really account for, but  
4 | since that time he's issued over 700 reports, 170 of those are  
5 | Zoning Commission cases and may have multiple reports, and he's  
6 | managed 350 BZA cases. And one of the most important Zoning  
7 | Commission cases that I think needs to be highlighted, because I  
8 | think it's a -- it's the kind of unsung hero, is inclusionary  
9 | zoning. Steve was the co-author of inclusionary zoning, and he  
10 | worked with Art Rodgers in lockstep as they pulled all the  
11 | research and worked through all the regulations in getting what  
12 | was a, especially then, extremely complexed set of regulations  
13 | to be understandable, to be implementable, and to be legally  
14 | defensible. And so I really want to highlight that and point  
15 | out that I think that number, on the DHCD website they identified  
16 | that it's almost 2,000 IZ units that are under covenant. On the  
17 | Office of Zoning website, they note that there's about 3,500  
18 | units that have been approved, so there are still 1,500 out there  
19 | that have not yet been covenanted -- that have not yet issued  
20 | their covenant, but have been approved through the process, many  
21 | of those through Steve's own work and his own cases. And that's  
22 | the kind of influence that'll be felt by families and individuals  
23 | who can now live in homes and in neighborhoods that they might  
24 | not otherwise have been able to afford and that otherwise don't  
25 | really draw a lot of attention to the individual.

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1           So I wanted to just take a moment -- excuse me -- and  
 2 you know, publicly pay him a little bit of tribute through the  
 3 Zoning Commission, and I know that the Commission wanted to add  
 4 a word, so with that, I'll turn it over to you, Chairman Hood.

5           CHAIRMAN HOOD: Thank you, Ms. Steingasser, and we are  
 6 getting ready to give good practice at this, but we want to  
 7 congratulate Mr. Steve Cochran. I remember when Steve first  
 8 presented. I was fairly new to the Commission. I think he came,  
 9 as you mentioned, in March of 1999, and I came on around May of  
 10 1998, and I remember when Mr. -- I remember the former late  
 11 Jerrily Kress one night about 11 o'clock, leaning over to me and  
 12 saying Anthony, this is real refreshing. I said yeah, it is.  
 13 And Steve brought an element of newness. Not saying anything was  
 14 wrong with the old, because I go back with the old, but he brought  
 15 a -- and giving us reports and information, he had a way with  
 16 giving it to -- one of the things I would say about Steve Cochran,  
 17 while -- if the issues have been very serious, he found a way in  
 18 his presentation -- and he still does that today -- to kind of  
 19 have a little banter and make it -- lighten it up a little bit  
 20 to ease the tensions. And Steve, I thank you for that. You've  
 21 worked well with the BZA and the Zoning Commission over the years.  
 22 I understand you've estimated and managed 170 Zoning Commission  
 23 cases, resulting in over 300 reports. You've always done stellar  
 24 work to definitely limit our questions, and I know there has been  
 25 no questions that you have not given us a response to. So we

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Commented [DG2]: I want to know why there was no phonetic after this. It obviously was not verified, this is unacceptable!!

Commented [DG3]: It is one or the other, not both. :00 means o'clock, so typing it this way you are saying 11 oclock oclock.

Commented [DG4]: No comma after so but or and when beginning a sentence. This has been told you over and over.

1 want to thank you on behalf of my colleagues and myself and all  
2 of us in OZ and the Zoning Commission, and I'm sure Chairman Hill  
3 and the BZA will agree that we appreciate you, we wish you much  
4 success in the next journey, and I'm sure that we'll see you  
5 around town, or if not, or looking forward to hearing how progress  
6 that you've made as you continue on, so thank you for all you've  
7 done. And again, from me personally, I know -- I do know that  
8 when -- you were one of the first -- when the Council at that  
9 time had the wisdom to start updating the Office of Planning and  
10 making sure people in the city had a place at the table, Steve,  
11 and you were one of the people who first led that. You were one  
12 of the pioneers in that process. The process was all right  
13 before, but as we see it today -- and this is one of the things  
14 I want the public to know as well -- you might not always agree  
15 with the Office of Planning, but one time we didn't have as much  
16 interaction and planning, not just OP, but with the city as a  
17 whole. And I think during that administration and that Council,  
18 and it still holds true today.

19 So we wish you well, congratulations on your  
20 retirement. You will definitely be missed, and I'm going to give  
21 my -- while I talked for about two minutes, I'm going to give my  
22 colleagues a half a minute if they want to say something right  
23 quick before we turn it over to you, Steve.

24 Commissioner May?

25 COMMISSIONER MAY: I'm sorry. I only

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Commented [DG5]: You are not structuring sentences correctly. You are breaking them up in way too many new paragraphs, sometimes even mid sentence, this is just unacceptable.



1 get a half a minute? I can barely say my own name in a half a  
2 minute. No.

3 Steve, so I only recently learned that after a long  
4 time of threatening retirement, you actually were, and I was --  
5 I have to say I was kind of caught by surprise, but not really.  
6 You know, I knew it was -- I really did know it was coming, but  
7 I just wanted to put it out of my head. And I will say also I  
8 had the fortune to get to know Steve a little bit outside of the  
9 zoning world because of some mutual friends through my wife and  
10 her work, and she was here a second ago, but was going to wave,  
11 but she had to go because she's theoretically working at the  
12 moment. Anyway, but we're -- you know, we got to know Steve  
13 outside and I can tell you, you know, as interesting and as  
14 engaging he is when he comes to the Zoning Commission, he's a  
15 whole lot of fun outside the office. So I really appreciated  
16 getting to know him in that different way.

17 I will also say that, you know, Steve, I really  
18 appreciate the fact that he brought his own design sensitivity  
19 to all the projects that he was involved in that we're -- you  
20 know, you could get into the design, and I thought he always  
21 improved those projects. You know, we'd see them at the -- you  
22 know, at the set-down stage and, you know, there had already been  
23 some sort of work on them, but then by the time they come for a  
24 hearing, they're significantly improved. I will also say that  
25 sometimes we didn't necessarily agree on the design aspects of

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Commented [DG6]: It's almost as if you are starting a new paragraph for each new sentence. This is just wrong. This is not right and it could be considered line padding by some and could get us in hot water.

1 | it, but you know, that's okay because, you know, nobody's perfect  
2 | on these things. Nobody knows exactly the way something should  
3 | be designed, and it's only by having those sorts of discussions  
4 | that we wind up with better projects. And so many projects are  
5 | better for your involvement, and we will miss you terribly, but  
6 | I think you probably won't miss us as much.

7 |           So anyway, we will -- I wish you the best and look  
8 | forward to seeing you at some point soon.

9 |           CHAIRMAN HOOD: Thank you.  
10 |           Anyone else? Commissioner Imamura?

11 |           COMMISSIONER IMAMURA: Sure. Thank you, Mr. Chairman.  
12 | Steve, as the new guy here, what I can say is that -- there's  
13 | not a lot more I can add, but -- Ms. Steingasser covered a lot  
14 | of ground, as you have over your career, foundational influence,  
15 | and a lasting legacy across the city. For me personally, I just  
16 | enjoyed your approach and delivery for all your reports on the  
17 | BZA and the Zoning Commission. So I thank you for that and your  
18 | service and making D.C. a better place to live, work, and play  
19 | on behalf of all its residents. So thank you. Enjoy your go-go  
20 | years in retirement and we certainly will miss you.

21 |           CHAIRMAN HOOD: Thank you.  
22 |           And Vice Chair Miller?

23 |           VICE CHAIR MILLER: Thank you, Mr. Chairman. I did not  
24 | know that Steve was retiring. I guess that's how much out of  
25 | the loop I am these days, but -- and when I see somebody with

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1 white hair retiring or no hair in one of our fellow-Commissioners'  
2 cases, it makes me think that my time might be coming soon. So  
3 I want to thank Steve for all of your contributions to the city,  
4 to the Office of Planning, and to your work. It's always -- it  
5 always was presented both in individual conversations that we've  
6 had over the years and in public presentations in a very  
7 intelligent, forthright, concise, understandable, respectful way  
8 because not everybody agrees with everybody on these land use and  
9 planning issues, as we know, but you always had good arguments  
10 that were difficult to rebut, and I appreciate all of the benefits  
11 that you've brought to the built environment in our nation's  
12 capital and in our hometown, which we -- we'll get to enjoy for  
13 many years, and maybe I'll see you at the beach more. I think I  
14 saw you at the beach once in the past whatever, 25 years, that  
15 I've known you, but I hope to see you there more often. You're  
16 probably there, but I don't know if I'll be there, but I do  
17 appreciate and congratulate you on all of your work.

18 I was there when you were part of the -- at the Council,  
19 when we did start to beef up the Office of Planning. It was such  
20 a -- it was a good group, that 18 or 19, Ms. Steingasser. You  
21 were part of it. It was a good group, and we wanted -- and we  
22 knew that you could build on it and make it even better, and you  
23 have over the last two decades, and your legacy will live on in  
24 the District, and we appreciate it. Thank you so much, Steve,  
25 and I look forward to seeing you at the beach.

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1 CHAIRMAN HOOD: Okay.

2 Anyone else before I turn to Mr. Cochran, staff,  
3 anybody? I want to give everybody opportunity. Okay. Well,  
4 the staff, I'm sure, concurs with our -- and I'm sure you have  
5 heard from other staff, and I'm sure you're going to hear from  
6 more. I'm sure they concur with our comments. And Steve, I know  
7 this is unusual for you, because your reports are always so  
8 detailed. I always say give us the short version, but today,  
9 Mr. Cochran, give us whatever version you want to give us. Go  
10 right ahead.

11 MR. COCHRAN: Thank you, Mr. Chair.

12 First off, thank you, Jennifer. I really had no idea  
13 I'd done that much work, and I'm very glad I didn't know those  
14 numbers or I would have retired even earlier. It's been great.  
15 I mean, it's been wonderful to work at the Office of Planning.  
16 I couldn't have asked for better supervisors or bosses than  
17 Jennifer and Joel. The staff has become like family. They're  
18 great people and talented as heck, but it's been a privilege to  
19 be able to present to the Zoning Commission over these years and  
20 to the Board of Zoning Adjustment. I realized how much I liked  
21 this back in 1984 when I headed up the Dupont Circle Citizens'  
22 Association's Zoning Committee, and I did a few cases for them  
23 on a PUD at 16th and O, and the proposed expansion of sites that  
24 was defeated and even on the Reed-Cooke Overlay, which I helped  
25 write with some of my neighbors. And I just liked it. I was

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1 working for a national group then on planning, and I realized no,  
2 Washington's my hometown. Like, Jennifer knows, I can stand at  
3 13th and Pennsylvania and do a 360 and see where everyone,  
4 including me, all the way back to my great grandfather worked.

5 I'm going to be moving out of Washington. I plan to  
6 be tuning into the Zoning Commission hearings, not saying  
7 anything for a change. But I will have a six-hour time  
8 difference, so Rob, I hope to see you at the beach, but it's  
9 probably going to be on the other side of the Atlantic at a beach  
10 on Long Island. So just thank you all. This has -- it's been a  
11 privilege. That's all I can say. You guys are great.

12 CHAIRMAN HOOD: Thank you, very much, and  
13 congratulations again from all of us, Steve. You'll be  
14 watching the Zoning Commission?

15 MR. COCHRAN: Well, let's put it this way, the Zoning  
16 Commission is never boring.

17 CHAIRMAN HOOD: You know, I've heard that from some  
18 people and some people, you know, we're serious and some of my  
19 friends have told me they watch it for entertainment, and I think  
20 that's because they like when people get on us. And I said you  
21 know what, keep liking that, because eventually it's going to  
22 happen to you. But anyway, I'm glad that you will be watching  
23 us and if you text one of us and let us know, I'll give you a  
24 shoutout. Okay? Or we'll give you a shoutout.

25 MR. COCHRAN: Okay. Thank you.

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1 CHAIRMAN HOOD: Thanks for everything, man. Best to  
2 you.

3 All right. Let's move on with our agenda. One moment  
4 please. And let me thank the public. That was well-deserved  
5 and let me thank the public now and thank them for in advance,  
6 because we have more to come. I'll just leave it at that for  
7 now.

8 All right. Ms. Schellin, do we have any preliminary  
9 matters? You know, it takes me a minute to figure out what I'm  
10 doing. Okay. Let's go to modification of consequence,  
11 determination and scheduling, Zoning Commission Case -- hold on,  
12 yeah, Zoning Commission Case No. 85-16B, CLPF-CC Pavilion, LP,  
13 PUD modification of consequence at Square 1661.

14 Ms. Schellin?

15 MS. SCHELLIN: Yes, sir. We did receive a letter from  
16 the Applicant at Exhibit 9, asking the Commission to postpone its  
17 deliberations until the next meeting, July 13th. The Applicant  
18 explained they've been working diligently to resolve the ANC-  
19 3E's issues and to craft a condition regarding the grocery store  
20 tenant that is acceptable, and they should reach an agreement by  
21 the next meeting. So they would like for the Commission to just  
22 postpone deliberations.

23 CHAIRMAN HOOD: Thank you, Ms. Schellin, for teeing  
24 that up for us.

25 Again, colleagues, you've heard Ms. Schellin. Anytime

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Commented [DG7]: Case No. 85-16B, this is all that goes in the index, not all those three or four pages that you have. I have said this numerous times now. It is only case numbers that go in the index, nothing else anymore.

Commented [DG8]: There are no parentheses in case numbers. Do you even look at them?

Commented [DG9]: Have you ever even looked up ANC and how they're names are formatted? There is no parentheses.

1 we can work on maybe where there may be some differences and fine  
2 tune any project, I'm always in support of that. I would suggest  
3 that we move in that fashion as requested and ask for any  
4 additional comments or questions on this.

5 Commissioner May?

6 COMMISSIONER MAY: No, I'm fine putting it off 'til the  
7 next meeting.

8 CHAIRMAN HOOD: Okay.

9 Commissioner Imamura?

10 COMMISSIONER IMAMURA: Likewise, Mr. Chairman, I'm  
11 amenable to that, as long as we set a deadline.

12 CHAIRMAN HOOD: Okay.

13 And Vice Chair Miller?

14 VICE CHAIR MILLER: Thank you, Mr. Chairman. I concur.

15 CHAIRMAN HOOD: Okay. Thank you.

16 Ms. Schellin, do we have a date -- some dates, or a  
17 date?

18 MS. SCHELLIN: Yes, sir. If we could -- since they're  
19 doing a joint -- well, I'd better not guess. We could get them  
20 to respond by July 6th, then we could let the ANC -- well, say,  
21 July 5th, then we can have the ANC respond by the 12th at 3  
22 o'clock p.m.

23 CHAIRMAN HOOD: So we'll take that at our first meeting  
24 in July, right?

25 MS. SCHELLIN: Yes, the 13th.

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1 CHAIRMAN HOOD: Okay, good. All right. Anything else  
2 on this one?

3 MS. SCHELLIN: No, sir.

4 CHAIRMAN HOOD: Okay.

5 Let's move on. Zoning Commission Case No. 21-20A,  
6 Steuart Investment Company, modification of consequence of  
7 approved -- of an approved design review at Square 662.

8 Ms. Schellin?

9 MS. SCHELLIN: Yes. The Applicant is seeking to modify  
10 the massing of the penthouse to modify the ground-floor plan  
11 along S Street and to modify the floor plan along the private  
12 alley. At Exhibit 4, there's an OP report that agrees this is a  
13 modification of consequence and recommends approval. As of  
14 today, ANC 6D has not yet responded, so if the Commission finds  
15 this to be a modification of consequence, a schedule will need  
16 to be set to allow the ANC to respond. Thank you.

17 CHAIRMAN HOOD: Thank you.

18 Does anyone want to take this off as a modification of  
19 consequence? Okay. Not seeing anyone wanting to do that, we  
20 will consider this a modification of consequence.

21 Ms. Schellin, can we come up with some dates?

22 And again, I would ask that the Applicant also notes  
23 that the issue with the doors on Half Street was showing a  
24 swinging -- it's a public space, which is generally prohibited,  
25 so we would ask that they would fine tune all those things and

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Commented [DG10]: Case No. 21-20A



1 make a submission on how we will move forward and clear that  
2 issue up. And if you don't understand what I'm saying, please  
3 work with, I guess, Office of Zoning legal division or OP and  
4 find out about that issue that's been flagged. Anything else?

5 Ms. Schellin, can we come up with some dates please?

6 MS. SCHELLIN: Yes, sir. Do you want to put this on  
7 for the next meeting or the last meeting of July?

8 CHAIRMAN HOOD: I would like for us to get everything  
9 in before July 31st.

10 MS. SCHELLIN: Okay. So we'll put this on for the July  
11 27th meeting, so we will ask the Applicant to provide their  
12 information by July 19th, and the parties have until the 26th.  
13 I'm sorry, let's make this July 17th for the Applicant to provide  
14 that information requested, and the parties would have until July  
15 24th, and we'll put this on for 07/27, submissions being due by  
16 3 p.m. if the Applicant can work with the parties and let them  
17 know too. Thank you.

18 CHAIRMAN HOOD: Okay. Thank you. Excuse me.

19 Let's move to our next case, Zoning Commission Case No.  
20 03-12Y/03-13Y, DCHA, PUD modification of consequences at Square  
21 767, 768, and 882S.

22 Ms. Schellin?

23 MS. SCHELLIN: Yes. The Commission had postponed  
24 deliberations on this case to allow the Applicant to respond to  
25 ANC 8F's conditions of support and the Applicant has provided a

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Commented [DG11]: Case Nos. 03-12Y and 03-13Y

1 response at Exhibit 8, so this is ready for the Commission to  
2 deliberate on.

3 CHAIRMAN HOOD: I'm going to open it up. Let me open  
4 it up for questions and comments on -- especially on the comments  
5 from DCHA's response to ANC 8F.

6 Commissioner May, any questions or comments?

7 COMMISSIONER MAY: No. I think that the -- I don't  
8 have any -- so I don't have any questions about it. I, having  
9 read the DCHA response to the ANC's letter, it seems to me that  
10 there's -- they've addressed all the points adequately and that  
11 we can move forward.

12 CHAIRMAN HOOD: Thank you.

13 Commissioner Imamura?

14 COMMISSIONER IMAMURA: Thank you, Mr. Chairman. I'm  
15 satisfied with DCHA's letter and feel that it's sufficient.

16 CHAIRMAN HOOD: Okay.

17 And Vice Chair Miller?

18 VICE CHAIR MILLER: Thank you, Mr. Chairman.

19 Yeah, I support this going forward. I think the  
20 conditions and the ANC 8F's support letter have been adequately  
21 addressed by the DC Housing Authority, and so I'm prepared to  
22 move forward.

23 CHAIRMAN HOOD: I'm going to echo my colleagues. I  
24 think the issues that ANC 8F have been adequately responded to  
25 by DCHA, and again their responses will not be a condition, but

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1 will be part of our -- it will be somewhere in the order for  
2 anybody who needs to recall that. Anything else on this? Okay.

3 So, with that, I would move that we approve Zoning  
4 Commission Case No. 03-12Y/03-13Y with the discussion and as  
5 noted, and asked for a second?

6 VICE CHAIR MILLER: Second.

7 CHAIRMAN HOOD: Moved and properly second. Any further  
8 discussion? Not hearing anything, Ms. Schellin, would you do a  
9 roll call vote please.

10 MS. SCHELLIN: Commissioner Hood?

11 CHAIRMAN HOOD: Yes.

12 MS. SCHELLIN: Commissioner Miller?

13 VICE CHAIR MILLER: Yes.

14 MS. SCHELLIN: Commissioner May?

15 COMMISSIONER MAY: Yes.

16 MS. SCHELLIN: Commissioner Imamura?

17 COMMISSIONER IMAMURA: Yes.

18 MS. SCHELLIN: The vote is four to zero to one to  
19 approve final action Zoning Commission Case Nos. 03-12Y/03-13Y,  
20 minus one being the third mayoral appointee seat, which is vacant.

21 CHAIRMAN HOOD: Okay. Next, we have under final action,  
22 Zoning Commission Case No. 22-29, JT EB Land Fund, LP,  
23 consolidated PUD and related map amendment at Square 274.

24 Ms. Schellin?

25 MS. SCHELLIN: At Exhibit 76, 76A, and 77 you have the

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1 Applicant's proffers and conditions. At Exhibit 78, NCPC  
2 submitted a letter stating that the proposal is not inconsistent  
3 with the comp plan for the national capitol and would not  
4 adversely impact federal interests. So this case is ready for  
5 the Commission to deliberate on final action. Thank you.

6 CHAIRMAN HOOD: Thank you, Ms. Schellin.

7 I know we deliberated heavily and even postponed it  
8 once for some additional information, but let me hear if anyone  
9 has anything else to add and if satisfied with what we received,  
10 and I'll start with Commissioner May?

11 COMMISSIONER MAY: Yeah, I think you are correct, Mr.  
12 Chairman, we had a robust discussion at proposed action about the  
13 benefits of the project and the concerns that we've had and the  
14 concerns that were raised by the parties in opposition. And I  
15 think -- I don't need to go through all of that again, I would  
16 just say that there's nothing that's really changed from that  
17 moment. And I will also emphasize that, you know, however  
18 challenging this case may be, there was robust support from the  
19 ANC, and I think that some of us are, you know, are -- take  
20 comfort in that voice of support in particular in moving forward.  
21 So I'm ready to move forward with final action on this case  
22 tonight.

23 CHAIRMAN HOOD: Thank you.

24 Commissioner Imamura?

25 COMMISSIONER IMAMURA: Thank you, Mr. Chairman. I'm

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1 in agreement with Commissioner May. I think as a Commission, at  
2 least, most of us concluded that, you know, the proposed  
3 mitigations are sufficient to prevent unacceptable potential  
4 adverse effect and I think the public benefits of the project are  
5 enough to justify its approval, so I'm prepared to move forward  
6 with it.

7 CHAIRMAN HOOD: Okay.

8 And Vice Chair Miller?

9 VICE CHAIR MILLER: Thank you, Mr. Chairman. Yes, I  
10 agree with my colleagues, Commissioners May and Imamura, on what  
11 they've said today. We have thoroughly reviewed and discussed  
12 this at extensive public hearing and at a proposed action, and  
13 would just reiterate that the project does include high-valued  
14 public benefits, such as housing, affordable housing, family-  
15 sized housing in a very amenity-rich neighborhood, which we'll  
16 hope -- and close to Metro and will be a benefit to both hopefully  
17 to the neighborhood and to the city. I'm ready to move forward.

18 CHAIRMAN HOOD: I don't have anything to add, as I  
19 would agree with all my colleagues, and also agree with what  
20 Commissioner said about -- Commissioner May said about the ANC.  
21 That was, I think, the thing that tipped me over to the top, to  
22 go that way because I was very unsure and uncomfortable. But  
23 anyway, with that, they're the ones who will be most impacted and  
24 they know their community better than I do, and I think the merits  
25 of this case need our approval at this point, especially with

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1 | them tipping me over. So with that, somebody like to make a  
2 | motion?

3 | VICE CHAIR MILLER: I'll make a motion, Mr. Chairman,  
4 | that the Zoning Commission take final action on Case No. 22-29,  
5 | JT EB Land Fund, LP, consolidated PUD and related map amendment  
6 | at Square 274, and ask for a second?

7 | COMMISSIONER MAY: Second.

8 | CHAIRMAN HOOD: It has been moved and properly second.  
9 | Any further discussion? Not hearing any, Ms. Schellin, would you  
10 | do a roll call vote please?

11 | MS. SCHELLIN: Commissioner Miller?

12 | VICE CHAIR MILLER: Yes.

13 | MS. SCHELLIN: Commissioner May?

14 | COMMISSIONER MAY: Yes.

15 | MS. SCHELLIN: Commissioner Hood?

16 | CHAIRMAN HOOD: Yes.

17 | MS. SCHELLIN: Commissioner Imamura?

18 | COMMISSIONER IMAMURA: Yes.

19 | MS. SCHELLIN: The vote is four to zero to one to  
20 | approve final action Zoning Commission Case No. 22-29, the minus  
21 | one being the third mayoral appointee position, which is vacant.  
22 | Thank you.

23 | CHAIRMAN HOOD: Okay. Next on our agenda is Zoning  
24 | Commission Case No. 19-31A. This is the Office of Planning text  
25 | amendment to Subtitle B, Section 100.2, youth rehabilitation

Commented [DG13]: Case No. 19-31A

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1 home. Again, as you all may recall, in this case, there was an  
2 omission and basically what we're doing is correcting that  
3 omission into our regulations, so.

4 Ms. Schellin?

5 MS. SCHELLIN: Yes, sir. The notice of proposed  
6 rulemaking was published in the register on May 26th. No comments  
7 were received into the record. At Exhibit 12, the NCPC's staff  
8 filed a letter stating that the propose -- proposal falls under  
9 an exception listed in Chapter 8 of NCPC's submissions guidelines  
10 and is accepted from their review. So this is ready for the  
11 Commission to consider final action. Thank you.

12 CHAIRMAN HOOD: Thank you.

13 And again, this is an omission and we're correcting a  
14 mistake. It was not intentional, so we're correcting that. So  
15 any other questions or comments on this? Okay. Would somebody  
16 like to make a motion?

17 COMMISSIONER IMAMURA: I'll make a motion, Mr.  
18 Chairman.

19 CHAIRMAN HOOD: Thank you.

20 COMMISSIONER IMAMURA: I move the Zoning Commission  
21 approve Zoning Case No. 19-31A, Office of Planning text amendment  
22 to Subtitle B, Section 100.2, youth rehabilitation home, and ask  
23 for a second?

24 COMMISSIONER MAY: Second.

25 CHAIRMAN HOOD: Okay. It's been moved and properly

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1 second. Any further discussion? Not hearing any, Ms.

2 Schellin, would you do a roll call vote please?

3 MS. SCHELLIN: Who seconded that?

4 CHAIRMAN HOOD: Commissioner May.

5 MS. SCHELLIN: Commissioner May. And I believe I heard  
6 him -- Commissioner Imamura say 19-31A, but you meant 22-30,  
7 correct?

8 COMMISSIONER IMAMURA: I'm sorry. 2- -- yes, I did.

9 MS. SCHELLIN: 22-30, okay. Just wanted to make sure.

10 So staff records the -- oh, I'm sorry.

11 COMMISSIONER IMAMURA: No. No. No.

12 CHAIRMAN HOOD: Hold up. Hold up.

13 MS. LOVICK: No, no, you meant, 19-31.

14 CHAIRMAN HOOD: 19-31A, that's the case.

15 COMMISSIONER IMAMURA: Yeah. Yes, 19-31A.

16 CHAIRMAN HOOD: Well, 19-31A.

17 MS. SCHELLIN: Okay. Am I -- okay, so we did not do  
18 22-30.

19 CHAIRMAN HOOD: That's next. 22-30 is next.

20 MS. SCHELLIN: Okay. So 19-31A.

21 Commissioner Imamura?

22 COMMISSIONER IMAMURA: Yes.

23 MS. SCHELLIN: Commissioner May?

24 COMMISSIONER MAY: Yes.

25 MS. SCHELLIN: Commissioner Hood?

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1 COMMISSIONER HOOD: Yes.

2 MS. SCHELLIN: Commissioner Miller?

3 VICE CHAIR MILLER: Yes.

4 MS. SCHELLIN: The vote is four to zero to one, the  
5 minus -- for final action, the minus one being the third mayoral  
6 appointee position, which is vacant.

7 CHAIRMAN HOOD: Thank you, Ms. Schellin. Ms. Schellin,  
8 from now on let me mess it up by myself.

9 MS. SCHELLIN: Sorry. I just -- my notes are a little  
10 bit screwy here.

11 CHAIRMAN HOOD: And I think I'm --

12 MS. SCHELLIN: (Indiscernible) green text and green  
13 writing, or green writing and green highlights, can't read it.

14 CHAIRMAN HOOD: All right. Let's move to the next --  
15 let's move to the next case. Okay. Zoning **Commission** -- Ms.  
16 Schellin's case, Zoning Commission Case No. 22-30, Office of  
17 Planning map amendment at Squares 5600 and 5601 and Parcel 224/31.  
18 Ms. Schellin?

19 MS. SCHELLIN: Yes. This one, the notice of proposed  
20 rulemaking was published May 26th. No comments received. And  
21 this one, NCPC provided a letter at Exhibit 12, stating that it  
22 was exempt from their guidelines, and therefore it was exempt  
23 from review. So it is ready for the Commission to consider final  
24 action. Thank you.

25 CHAIRMAN HOOD: Thank you, Ms. Schellin.

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Commented [DG14]: Case No. 22-30

1           And colleagues, as you remember, OP was not  
2 recommending IZ Plus, and we had agreed with them previously, and  
3 I'm sure we'll continue that status. Any questions or comments  
4 on this?

5           COMMISSIONER MAY: No.

6           CHAIRMAN HOOD: Okay. Not seeing any. Somebody --  
7 I'll make the motion. I would move that we approve as stated,  
8 Zoning Commission Case No. 22-30, and ask for a second?

9           COMMISSIONER MAY: Second.

10          CHAIRMAN HOOD: Moved and properly second. Any further  
11 discussion? Not hearing any, Ms. Schellin, would you do a roll  
12 call vote please?

13          MS. SCHELLIN: Commissioner Hood?

14          CHAIRMAN HOOD: Yes.

15          MS. SCHELLIN: Commissioner May?

16          CHAIRMAN HOOD: Yes.

17          MS. SCHELLIN: Commissioner Imamura?

18          COMMISSIONER IMAMURA: Yes.

19          MS. SCHELLIN: Commissioner Miller?

20          VICE CHAIR MILLER: Yes.

21          MS. SCHELLIN: The vote is four to zero to one to  
22 approve final action Zoning Commission Case No. 22-30, the minus  
23 one being the third mayoral appointee, which that seat is vacant.  
24 Thank you.

25          CHAIRMAN HOOD: Okay. Thank you.

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1           The next case -- and for the public, a lot of these  
2 final actions -- whenever we do final actions, and especially if  
3 we have proposed, we have exhausted and had conversations in a  
4 number of these cases, and if we don't, we'll have it now, but  
5 more than likely we have discussed a lot of these issues. So I  
6 don't want anybody to just see this and just think we're rubber-  
7 stamping. That's been a word I've been hearing for the last few  
8 years, that we rubber-stamp. We don't rubber-stamp nothing.

9           So anyway, Zoning Commission Case No. 23-01, Office of  
10 Planning text **amendment** to Subtitle B, 200.2, dormitory use  
11 within campus master plan in MU zones.

12           Ms. Schellin?

13           MS. SCHELLIN: Yes. This notice of proposed  
14 rulemaking was also published in the register on May 26th, and  
15 no comments were received into the record. At Exhibit 12, the  
16 NCPD filed a letter stating that the proposal is not  
17 inconsistent with the comp plan for the national capitol, nor,  
18 would it adversely impact federal interests. So it also is  
19 ready for the Commission to consider final action. Thank you.

20           CHAIRMAN HOOD: Thank you. As noted, we know that the  
21 committee of 100, we appreciate the work that they all do to help  
22 us make sure that we keep straight and keep things in line how  
23 we -- perspectives. Had mentioned, I had some issues, and I  
24 think the Office of Planning adequately addressed those  
25 previously, and we discussed it, but anyway let me open it up

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Commented [DG15]: Cae No. 23-01

1 for any questions or comments on this.

2 Commissioner May?

3 COMMISSIONER MAY: I have nothing to add. Thank you.

4 CHAIRMAN HOOD: Okay.

5 Commissioner Imamura?

6 COMMISSIONER IMAMURA: No, nothing to add.

7 CHAIRMAN HOOD: And Vice Chair Miller?

8 VICE CHAIR MILLER: I support going forward tonight.

9 CHAIRMAN HOOD: Okay. Would somebody like to make a  
10 motion please?

11 COMMISSIONER MAY: Sure. I'll make the motion. I  
12 would move that Zoning Commission approve final action in Zoning  
13 Commission Case 23-01, Office of Planning text amendment to  
14 Subtitle B, Section 200.2, dormitory use within a campus master  
15 plan in MU zones.

16 VICE CHAIR MILLER: Second.

17 CHAIRMAN HOOD: Okay. It's been moved and properly  
18 second by Vice Chair Miller. Any further discussion? Not hearing  
19 any, Ms. Schellin, would you do a roll call vote please?

20 MS. SCHELLIN: Commissioner May?

21 COMMISSIONER MAY: Yes.

22 MS. SCHELLIN: Commissioner Miller?

23 VICE CHAIR MILLER: Yes.

24 MS. SCHELLIN: Commissioner Hood?

25 CHAIRMAN HOOD: Yes.

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1 MS. SCHELLIN: Commissioner Imamura?

2 COMMISSIONER IMAMURA: Yes.

3 MS. SCHELLIN: The vote is four to zero to one to  
4 approve final action Zoning Commission Case No. 23-01, the minus  
5 one being the third mayoral appointee seat, which is vacant.

6 CHAIRMAN HOOD: All right.

7 Now, this is where I may -- I think, I'm going to get  
8 this right, Ms. Schellin. I don't want you and I both to be in  
9 sequence, I'm going to try to get this right, this part. Let's  
10 go to hearing action Zoning Commission Case No. -- we are  
11 alternate scheduled because we are trying to figure out the best  
12 way to do this and I think that we got it figured out. Anyway,  
13 let's go to Zoning Commission Case No. 23-09, **under** hearing  
14 action. Let's bring up the -- let's see, who is the planner? We  
15 had a planner. Okay, Ms. Thomas. Thank you.

16 Ms. Thomas, I know we switched around. We probably  
17 should have announced that, but we switched around for a very  
18 strategic reason. Okay. Ms. Thomas, you may begin.

19 MS. THOMAS: Yeah. Yeah. Good evening, Mr. Chair and  
20 members of the Commission. Karen Thomas with the Office of  
21 Planning, and this application is for a proposed map amendment,  
22 thank you, from the RF-1 to the RA-3 for two lots owned by 650  
23 Morton Street, LLC. The property is located in the Parkview  
24 neighborhood as combined, and it's approximately 14,000 square  
25 feet. Comprised of Lot 33, 654 Morton Street is currently

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Commented [DG16]: Case No. 23-09

1 developed with a vacant 13-unit apartment building, and Lot 34  
2 is developed with a row dwelling, also currently vacant. The  
3 current zone designation of the RF-1 limits new development to  
4 single-family homes and flats and would allow for conversion of  
5 some row dwellings to apartment buildings based on the lot area  
6 requirement of 900 square feet per unit. On balance, when viewed  
7 through a racial equity lens, the proposal is not inconsistent  
8 with the comprehensive plan, including its policies, future land  
9 use map, and generalized policy map. So we are recommending this  
10 application be set down for a public hearing, and the proposal  
11 will be appropriate for IZ Plus. Next slide?

12           The future land use map indicates that a property is  
13 generally appropriate for medium density residential uses and  
14 according to the framework element of the comp plan, the RA-3  
15 zone is consistent with this category. Next slide?

16           The policy map indicates that the property is  
17 designated as a neighborhood enhancement area and that is  
18 discussed in finer detail in our set-down report. The framework  
19 element provides the guidance for densities, including by the  
20 property's future land use map designation. And as we stated,  
21 that proposed density would not be inconsistent with the future  
22 land use map. Next slide?

23           IZ Plus would be appropriate to apply to this map  
24 amendment because the re-zoning request is to a new zone that  
25 permits a greater density, and as of November 2022, the Rock

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Commented [DG17]: Next slide ALWAYS belongs at the end of the paragraph, not at the beginning of the new one. That would make no sense whatsoever.

1 Creek East planning area only contained approximately 5 percent  
2 of the District's total number of affordable units as of 2022.  
3 The District's 2019 housing equity sets a goal that every planning  
4 area should contain at least 15 percent of the District's total  
5 number of affordable housing units. Since map amendment  
6 applications only consider consistency with the comp plan and not  
7 a specific development proposal, OP estimated at up to 10 units  
8 could be provided through an IZ Plus requirement if the combined  
9 properties were to be redeveloped. Next slide?

10 The comp plan analysis through a racial equity lens  
11 indicates that a map amendment proposal on balance would not be  
12 inconsistent with the comprehensive plan. Redevelopment of the  
13 site would not result in direct displacement, as there are no  
14 current residents on the property, and also indirect displacement  
15 is also not likely because we have increased residential density  
16 to create more housing options and the comp plan recognizes that  
17 without increased housing, there's an imbalance between supply  
18 and demand that drives up housing prices. There should also not  
19 be a negative impact because of the primary uses allowed by the  
20 RA-3 zone, which are primarily residential and community facility  
21 uses. Finally, the proposal would be located near many  
22 neighborhood opportunities, including schools, retail,  
23 supermarkets, other recreational opportunities, and bus lines  
24 with access to Metro within 0.4 miles of the Petworth Metro  
25 station. OP would like to acknowledge that the Applicant is

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1 currently working with the community, reaching out initially  
2 since October of 2022 to the present time, and the ANC has voted  
3 unanimously to support the map amendment at its regularly held  
4 meeting, which was last night, June 28th.

5 And this concludes my presentation. I'll be happy to  
6 take any questions. Thank you.

7 CHAIRMAN HOOD: Thank you, Ms. Thomas. I think you  
8 asked some of the questions I would have had for set down, but  
9 let me just ask has the Applicant -- I know you mentioned the  
10 ANC took a position last night, has the -- besides the ANC, has  
11 the Applicant reached out to other community members for  
12 community engagement?

13 MS. THOMAS: I believe so, through the ANC, but there  
14 are not a lot of -- I think it was just only one thus far.

15 CHAIRMAN HOOD: Okay.

16 MS. THOMAS: I don't have the name right now.

17 CHAIRMAN HOOD: Okay. And I'm also saying that for a  
18 reason, I want to make sure that the Applicant is able to come  
19 and tell us about the additional engagement they have done outside  
20 of ANC and civic associations. I'll be interested in hearing  
21 that.

22 Let me see what others have to say. Commissioner May?

23 COMMISSIONER MAY: Yeah. There seems to be a little  
24 bit of confusion about the one building at 654, and whether that's  
25 truly vacant. I mean, you say in your report that it is, but

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1 the Applicant's statement is not as clear on that. Can you verify  
2 that it's -- the thing is, in fact, vacant?

3 MS. THOMAS: I will. I'll try. I will put that in my  
4 report -- in the final report. I'm just going on what I was told  
5 at this time.

6 COMMISSIONER MAY: Yeah. I mean, it's -- the language  
7 is strange. It says that the 654 Morton property will be brought  
8 into compliance with its current use, rather than redeveloped.  
9 So maybe they're just saying that there won't be any displacement,  
10 not that there's nobody living there.

11 MS. THOMAS: Okay.

12 COMMISSIONER MAY: Because it's -- and if it's a condo  
13 building, it would be sort of complicated. Anyway, yeah,  
14 clarification on that I think would be helpful. Thank you.

15 CHAIRMAN HOOD: And thank you. And I think that would  
16 also be in how the Applicant would present their case, so all  
17 that's very critical to how we move forward with something. Thank  
18 you.

19 Commissioner Im- --

20 MS. THOMAS: So --

21 CHAIRMAN HOOD: I'm sorry, Ms. Thomas. Go ahead.

22 MS. THOMAS: I was just told it was not vacant.

23 CHAIRMAN HOOD: Okay.

24 MS. THOMAS: It's not vacant, so yeah.

25 COMMISSIONER MAY: But according to the Applicant,

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1 they're not going to be displaced?

2 MS. THOMAS: Yes, they're not -- they have no intent  
3 at this time. They have no plans on development of the site --

4 COMMISSIONER MAY: Right.

5 MS. THOMAS: -- of the apartment site. Yes.

6 COMMISSIONER MAY: Okay.

7 CHAIRMAN HOOD: Okay.

8 Commissioner Imamura?

9 COMMISSIONER IMAMURA: Thank you, Mr. Chairman, and  
10 thank you, Ms. Thomas, for that clarification about those  
11 residents. I share Chairman Hood's interest in learning more  
12 about what the Applicant has done or plans to do to solicit input  
13 from community members that would be impacted by the proposed re-  
14 zoning here. I think you mentioned that they have done some  
15 outreach since October 2022, but it sounds as if most of that's  
16 been focused on the ANC. So that's some significant time here  
17 where they've had an opportunity to reach out to others. I think  
18 I read somewhere in the record that they may have sent out 1,000  
19 mailers, but I'd like to hear a little bit more about that. I'm  
20 also interested in hearing more from OP about the race and  
21 ethnicity trends that you've identified, how that could be  
22 impacted by the proposed amendment, map amendment, if we decide  
23 to set this down. But I think outside of that, that's all that  
24 I have, Mr. Chairman.

25 CHAIRMAN HOOD: Okay. Thank you.

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1 Vice Chair Miller?

2 VICE CHAIR MILLER: Thank you, Mr. Chairman, and thank  
3 you, Ms. Thomas, for your report recommending set down of this  
4 case. Yeah, I agree with Chairman Hood and my fellow  
5 commissioners' comments about needing more information in the  
6 pre-hearing report, assuming we get to a hearing -- in the pre-  
7 hearing report from the Applicant about their community  
8 engagement and outreach efforts, particularly to the existing  
9 tenants of the 654 Morton Street building and what commitments -  
10 - what plans they do have in the future, if any, for redevelopment  
11 of that property and what commitments they're making in terms of  
12 the -- to those existing tenants in terms of their right to return  
13 or relocation assistance, just the whole displacement issue needs  
14 to be addressed prior to or at the public hearing at the latest,  
15 so that information will be very important.

16 Also, I just have one question for the Office of  
17 Planning at this point, and if you don't have an answer now,  
18 maybe in your hearing report, prior to the hearing, you could  
19 address why we wouldn't be including the rest of the surrounding  
20 medium-density residential comprehensive plan FLUM land use map  
21 designation, other than this -- these two properties, this site.  
22 This site is designated medium residential, but and it's also in  
23 the neighborhood enhancement area, but so is the adjacent area  
24 kind of going from -- what is that, Park Road down to Lamond  
25 Street at least, and over to Water Street between Georgia and

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1 Water, there's that whole area that has the same designation,  
2 medium density residential on the land use map and neighborhood  
3 enhancement area on the generalized policy map of the comp plan.  
4 Why wouldn't we be including those additional properties in this  
5 contested case map amendment? So if that could be addressed  
6 either by you now, if you know, or at the hearing -- in your  
7 hearing report, prior to the hearing, Ms. Thomas.

8 MS. THOMAS: Well, I could try to find out some more,  
9 but OP is not the Applicant in this case.

10 VICE CHAIR MILLER: Okay. I'm sorry. I misstated that  
11 then. I'm sorry.

12 MS. THOMAS: Yeah, but we could ask the Applicant  
13 (indiscernible) --

14 VICE CHAIR MILLER: But did you look at the other --

15 MS. THOMAS: -- (indiscernible) outreach  
16 (indiscernible).

17 VICE CHAIR MILLER: Did you look at the broader area  
18 that has the same land use map designation as part of your set-  
19 down report, or not yet?

20 MS. THOMAS: Not fully as yet. Not fully as yet.

21 VICE CHAIR MILLER: Okay. So I think that it'd be --

22 MS. THOMAS: But we do recognize that there is room for  
23 the development, but at this time, since it was a private owners  
24 (indiscernible).

25 VICE CHAIR MILLER: Okay. Well, thank you. We'll look

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1 forward to hearing more information about that in the future.  
2 Thank you.

3 MS. THOMAS: Thank you.

4 CHAIRMAN HOOD: Okay. It sounds like we're ready to  
5 move forward with this. Someone like to make a motion for set  
6 down? I would move -- I'll go ahead and do it. I'll move that  
7 we set down Zoning Commission Case No. 23-09, and note the  
8 comments as mentioned by my colleagues and ask for a second?

9 VICE CHAIR MILLER: Second.

10 COMMISSIONER IMAMURA: Second.

11 CHAIRMAN HOOD: Moved and properly second. Any further  
12 discussion? Okay. Ms. Schellin, would you do a roll call vote  
13 please?

14 MS. SCHELLIN: Commissioner Hood?

15 CHAIRMAN HOOD: Yes.

16 MS. SCHELLIN: Commissioner Miller?

17 VICE CHAIR MILLER: Yes.

18 MS. SCHELLIN: Commissioner Imamura?

19 COMMISSIONER IMAMURA: Yes.

20 MS. SCHELLIN: Commissioner May?

21 COMMISSIONER MAY: Yes.

22 MS. SCHELLIN: The vote is four to zero to one to set  
23 down Zoning Commission Case No. 23-09 as a contested case, the  
24 minus one being the third mayoral appointee position, which is  
25 vacant.

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1 CHAIRMAN HOOD: Okay. What I plan to do is call this  
2 next hearing action, which is actually our first hearing action,  
3 and then I want to call the time extension as well and move  
4 forward in that fashion, so bear with me a moment.

5 Our next case is Zoning Commission Case No. 09-03H,  
6 Skyland Holdings, LLC, modification of significance of PUD at  
7 Square 5633, and along with that, I'd like to call the time  
8 extension. Bear with me one moment please. Which is the time  
9 extension? It is Zoning Commission Case No. 09-03G, Skyland  
10 Holdings, LLC, two-year PUD time extension at Square 5633.

11 And let me start off with Ms. Brown-Roberts to talk  
12 about the hearing action part first.

13 MS. BROWN-ROBERTS: Good evening, Mr. Chairman and  
14 members of the Commission. Maxine Brown-Roberts, representing  
15 the Office of Planning on Zoning Commission Case 09-03H. Next  
16 slide?

17 The Skyland Town Center proposal has been under  
18 development for a number of years, and the original proposal has  
19 been through several modifications to be responsive to the market  
20 and also to respond to community needs. The proposal -- let's  
21 see. Sorry. The proposal would modify the consolidated PUD on  
22 Block 1 and modify the Stage 1 PUD on Block 4 to a consolidated  
23 PUD. The Applicant has also requested flexibility to the rear  
24 yard, side yard, and retail parking requirements. Next slide?

25 Formerly Block 1 was approved for a medical office

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Commented [DG18]: Case Nos. 09-03G and H

1 building and structured parking and Block 4 had a Stage 1 approval  
2 for a multi-family building with ground-floor retail. Next  
3 slide?

4           The proposed modification result in row dwellings on  
5 Block 1 and row dwellings and a senior all-affordable apartment  
6 building with ground-floor retail on Block 4. The development  
7 on both blocks would result in a total of 126 townhouses, 75  
8 units of senior housing, and approximately 10,000 square feet of  
9 retail space. The townhouses would offer home ownership  
10 opportunities with family size of three- to four-bedroom units,  
11 seven of which would be affordable at 50 percent and 80 percent  
12 MFI. The senior units would be all-affordable at 30 percent and  
13 50 percent MFI and would have one and two bedrooms. The area  
14 surrounding the buildings would be dispersed with extensive  
15 passive and active open space areas incorporated into the Town  
16 Center theme. Next slide?

17           The requested modification and the overall development  
18 would continue to not be inconsistent with the comprehensive  
19 plan. The future land use map recommends moderate density  
20 commercial and low density residential, and the generalized  
21 policy map recommends a multi-neighborhood center and  
22 neighborhood conservation area for the property. The development  
23 is also not inconsistent with many of the policies of the far  
24 northeast-southeast area to provide much needed home ownership  
25 opportunities and affordable senior housing and to provide a mix

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1 of uses at Skyland. Next slide?

2           The Applicant provided a full racial equity analysis  
3 and is also provided in the OP report. The Mayor's January 2023  
4 D.C.'s comeback plan indicates that the far northeast-southwest  
5 planning area is on track to exceed the 2025 affordable housing  
6 goal. However, although the area is on track to exceed affordable  
7 housing needs, a variety of new housing choices are not being  
8 provided. The proposed home ownership opportunities and  
9 affordable senior housing, along with the apartments currently  
10 at Skyland, would help in addressing the need for a variety of  
11 housing types in the area. In general, the analysis of the data  
12 shows that the planning area is behind that of the District in  
13 most categories, such as homeownership, median household income,  
14 and unemployment. The proposed development will further the  
15 number of the plan policies related to equity. Next slide?

16           No direct or indirect displacement is envisioned by the  
17 proposal, and in fact, would be a positive impact on housing, in  
18 particular homeownership and senior housings needed in the  
19 planning area. Currently, both Blocks 1 and 4 are vacant, and  
20 prior to the development of Skyland, it was developed with vacant  
21 commercial buildings, so there is no loss of housing on this  
22 site. The development would provide significant open spaces and  
23 promote a culture for arts. The access to job opportunities both  
24 within and outside of the Town Center would be provided, and the  
25 Applicant has been involved in job training for residents in the

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1 area. Regarding the PUD, the proposal would continue to meet the  
2 requirements and have already provided most of the amenities to  
3 the community, as outlined in original and subsequent amendments.  
4 The Office of Planning therefore recommends approval of the  
5 requested modification of significance and that it be set down  
6 for public hearing. In our report we also requested additional  
7 information on how the public benefits approved in all the Zoning  
8 Commission cases and modifications have been met. Examples of  
9 the extent of physical modifications that may be necessary due  
10 to security measures and that the Applicant should provide  
11 information on the IZ requirements for the MU-7B zone, and if the  
12 proposal would exceed that requirement in terms of affordability  
13 and affordable units.

14 Thank you, Mr. Chairman, and I'm available for  
15 questions.

16 CHAIRMAN HOOD: Thank you, Ms. Brown- Roberts. We  
17 appreciate your exhaustive and well-done report. We may have a  
18 few questions.

19 Let me start with Commissioner May.

20 COMMISSIONER MAY: Well, you know, first of all, I have  
21 to express my initial concern that the application materials are  
22 a bit lacking. Right? You know, we have seen this case many  
23 times before, at least many of us -- most of have, and it's  
24 changed a few times over the years, and I only have a vague  
25 recollection of what was there before, and so the fact that there

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1 | was nothing in the application package that shows what the current  
2 | approved plans are for the site was disappointing, and obviously  
3 | we'll need to see that by the time there's a hearing. I don't  
4 | really have any questions for the Office of Planning. I think  
5 | that Ms. Brown-Roberts has explained many of the areas where  
6 | there will need to be further information before there's any kind  
7 | of hearing on this if we decide to set it down in some form. But  
8 | I did want to raise a question, and I'm not necessarily advocating  
9 | for anything in particular, but this is a really, really big  
10 | change to that original PUD, and it did go through a few other  
11 | changes before and when we kind of rolled with that, but you  
12 | know, this is something that's affecting almost half of the land  
13 | area of the PUD, or something in that vicinity. And to go from,  
14 | you know, what was planned before, an office building and multi-  
15 | family housing, I think as I recall, to a lot of row houses and  
16 | the senior building, I mean, this is not to say that those are  
17 | not good things, but it is really a huge change and with a very  
18 | different set of impacts and concerns that go with it. And I -  
19 | - you know, I have to -- it sort of raises the question for me  
20 | because we have dealt with, you know, other large scale PUDs, I  
21 | mean, generally speaking, larger than this, but other large scale  
22 | PUDS that have had to change repeatedly and morph into completely  
23 | different things over time, simply because they're so big and  
24 | they can't all be built at once. And is this -- I have to ask  
25 | the question, is this a circumstance? And I'm not really asking

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1 this question, it's a rhetorical question really. Is this the  
2 moment where we should simply say no, we're not going to set it  
3 down as a modification of significance and we're not going to  
4 extend the -- or do a time extension yet again for this project  
5 and simply let this component of that project expire, and then  
6 they will have to do a completely new PUD for that area, simply  
7 because it's just -- I mean, these other cases that we've had,  
8 and you know, and I guess it includes this one, just to a lesser  
9 extent, where there have been so many changes over the years,  
10 it's like okay, let's just get our PUD done, and then we can  
11 change it as much as we need to over time. And I just think  
12 that's not the way to do good planning. So I mean, I'm -- it  
13 raises the question for me and it's really a question for my  
14 fellow commissioners, whether they, you know, where they --  
15 whether they see things and --or have any of those similar  
16 concerns, because we often as a group can mention these concerns  
17 when we are dealing with some of these PUDs that seem to just go  
18 on and on and on. And then I also just want to say I really  
19 don't want to do anything that could slow this down. Right? I  
20 mean, this has been so long in coming, and so long getting to  
21 the point where it's -- you know, where it is today and we don't  
22 want to slow further progress, but I'm not convinced that, you  
23 know, going a different route, having a new -- a whole new PUD  
24 is necessarily going to be that much more time consuming.

25 So anyway, I offer that up for my fellow commissioners'

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Commented [DG19]: Why do you keep typing I, mean, What does that even mean. Nonsensical. There should never be a comma after the I in I mean.

1 consideration.

2 CHAIRMAN HOOD: Okay. Thank you, Commissioner May.  
3 And as we go along, let's remember what Commissioner May said.  
4 Let's expand upon your thoughts and also if you want to comment  
5 to what he's thrown out there for all of us, so thank you for  
6 doing that.

7 Commissioner Imamura?

8 COMMISSIONER IMAMURA: Thank you, Mr. Chairman. Thank  
9 you, Commissioner May. I think you bring up some really  
10 interesting points and since joining the Commission, maybe almost  
11 two years ago, I know I've heard Commissioner say -- Commissioner  
12 May comment many times that these PUDS are -- can often be pretty  
13 complex. They morph over time. Certainly, this case precedes  
14 my tenure on the Commission, so there was an extensive read up  
15 on the history of this project, and I can say that I have  
16 witnessed as the newest commissioner, exactly what Commissioner  
17 May has pointed out here, that they are complex sometimes and  
18 they do have a tendency more often than not to morph and extend  
19 with a protracted schedule and change over time. And I think  
20 he's right that, you know, it requires a little more thoughtful  
21 planning, and I think there's room to do better, although I think,  
22 you know, this is almost half of the site here that's being  
23 modified, or it appears that way, but I think there could be,  
24 you know, some positive public benefit out of adjusting what was  
25 originally planned. I certainly understand things change over

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1 time, but I think that there's a real issue here about taking on  
 2 these really enormous PUD projects. So just some more thoughtful  
 3 and careful consideration about it, but I'm interested, Mr.  
 4 Chairman, to hear your thoughts and Vice Chair Miller's thoughts  
 5 as well.

6 CHAIRMAN HOOD: Okay, thank you.

7 Vice Chair Miller?

8 VICE CHAIR MILLER: Thank you, Mr. Chairman, and thank  
 9 you, Ms. Brown-Roberts, for your report recommending set-down,  
 10 and I support all of your requests to the Applicant for  
 11 information that you've made -- and your report prior to -- for  
 12 them to provide that prior to the public hearing in their pre-  
 13 hearing submission. And I also would -- I think that we are  
 14 going to need additional information from both the Applicant and  
 15 Office of Planning supporting the currently proposed development  
 16 of the townhouses and the senior affordable housing, in terms of  
 17 its consistency with the comprehensive plan. I realize that we  
 18 already made that determination in the original PUD, which had a  
 19 multi-family building in it and your report does make reference  
 20 to the fact that there are -- that part of the site -- a small  
 21 part of the site is residential, low density and a neighborhood  
 22 conservation area, and I think there's -- so because there is  
 23 such -- because there is those designations, I just think we need  
 24 to buttress our -- buttress the argument that it's not  
 25 inconsistent with the comprehensive plan, or that the

Commented [DG20]: The phrase is in terms of.  
 And needs no comma AT ALL anywhere within it.

Commented [DG21]: DO NOT stop in the middle of  
 a sentence and make a new paragraph. It makes  
 no sense whatsoever to do this. And you've  
 done it numerous times throughout this  
 transcript. Sentences need to make sense and  
 they can't make sense if you stop in the  
 middle of them and then especially make a  
 whole new paragraph.

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1 | overwhelming public benefit, which I think is obvious from the  
2 | production of this all -- this senior affordable housing building  
3 | and the significant amount of affordable housing in the townhouse  
4 | development that would be proposed in lieu of the medical office  
5 | building that we approved. I think we need just more arguments  
6 | to boltress (sic) how it's not inconsistent with the comp plan,  
7 | or how the public benefits, particularly at high priority, high  
8 | value affordable housing public benefits outweigh any potential  
9 | inconsistency.

10 |         And I think Commissioner May does bring up some good  
11 | points, that this is a major modification, it's a significant  
12 | modification. That's why it's a modification of significance.  
13 | It kind of fits into that category. It'll have a public hearing,  
14 | if we approve to set it down now or at some point. I think the  
15 | information that -- the application should have had more  
16 | information about what was originally approved and what's being  
17 | proposed now, but I think we can get all of that at a public  
18 | hearing. This project is one Skyland project. It does have a  
19 | number of components. It has changed over time. The market has  
20 | changed over time. There have been different problems over time  
21 | that has stymied this development, which the community and ANC,  
22 | affected ANC, has wanted for decades, and the city's elected  
23 | leadership has wanted for decades and has tried to facilitate.  
24 | So I want to try to facilitate this development, keeping on track  
25 | whatever track it's on. It's been a winding track. It's had

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1 setbacks. It's gone off-track. It's got a significant  
2 modification here. I want to keep it on track. I don't really  
3 want them to have to start all over with a new PUD.

4 I realize Commissioner May said he wasn't necessarily  
5 suggesting that in this case, but just something we should think  
6 about for these complicated PUDs going forward, but in this case,  
7 I would like to keep it going, keep the momentum whatever there  
8 is going forward. This is an important public benefit that are  
9 being suggested in this new proposal for townhouse -- affordable  
10 housing townhouse development, affordable housing senior  
11 development, and we need to see how all that interacts. The  
12 community will obviously have questions about that as well, but  
13 I think we can go forward with the set-down and we can get all  
14 the information we need prior to a public hearing, which wouldn't  
15 happen until sometime in the fall anyway.

16 So I'm prepared to move forward, Mr. Chairman. I'll  
17 leave it at that. Thank you.

18 CHAIRMAN HOOD: Thank you, Vice Chair, and thank you  
19 all, and thank you Commissioner May for bringing that up.  
20 Typically, when I hear about this, I always think about the Herb  
21 Franklin rule, is what I call it, because that's when I first  
22 learned from things that last forever. But in this case -- but  
23 let me ask, Ms. Brown-Roberts, I know Wards 7 and 8 have been  
24 talking about medical centers and I understand about the  
25 hospital, is there another place where the medical area is going

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1 in this development or is it going somewhere -- I didn't see  
2 that. I know that we changed this out for the townhouses and  
3 homes, but where's the medical component going, or do we know?

4 MS. BROWN-ROBERTS: I don't know. There's nothing in  
5 the submission and the Applicant didn't say, so I don't know.

6 CHAIRMAN HOOD: I know that was very important. I'm  
7 sure there's a plan. I would be interested, if we set that down.  
8 While I really -- normally, I would agree with Commissioner May  
9 and let's just figure it out, this has been going on long enough,  
10 but this has been going on for so many years and we've gotten to  
11 this point. I believe when I think about Skyland, I think about  
12 the song King George, where he said keep on rolling. So we're  
13 going to keep on ro- -- I want to keep on rolling. Don't listen  
14 to the words, because I want you all to think -- because it says  
15 if you want to leave, go ahead and leave, but no, we're going to  
16 keep on rolling, and I think that's one thing, and believe me, I  
17 understand that. I don't want to sound contradictory, but the  
18 Herb Franklin rule when I first got on this Commission was  
19 serious, because some of them PUDS have been in the pipeline and  
20 this one may be one of them -- have been in the pipeline over 20  
21 years and they just keep on, keep on rolling that way. But I  
22 think in this case, I think there's an assertive effort by our  
23 elected leadership and the communities, the ANCs, civic groups,  
24 and the residents, especially in Ward 7 of moving this thing  
25 forward and getting it done. I don't want to delay anything. I

Commented [DG22]: Commas do not belong after these words, especially, including, such as. They go before the word or phrase, but not after.

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1 don't want to stop it, but I do want to make sure we have all  
2 the facts and make sure everything that they worked for is  
3 obtained.

4           So I would be inclined to set this down, but I am very  
5 inquisitive of where is the medical component going? I know we  
6 have a new hospital that's being built, but the folks in Ward 7  
7 -- I think it's supposed to be a satellite somewhere else, but I  
8 thought this was where it was going and now this is moving. This  
9 is before us. So I am inclined to go ahead and move forward and  
10 those are some of the questions. And I think we need to beef up  
11 the material so we can get a better understanding, and I'm saying  
12 this for the Applicant, especially if we deal with a modification  
13 of significance, we'll get that in a hearing, but let's -- give  
14 us as much information as possible because this was kind of, I'm  
15 not going to say, incomplete, but -- and I'm not going to say  
16 half-baked, but I'm going to say naked. This didn't have any -  
17 - a whole lot for me to really see what was actually happening,  
18 and maybe I should have said half-baked instead of what I said,  
19 but that's all right. The Applicant gets the gist of what I'm  
20 saying.

21           Any other comments on this? Commissioner May?

22           COMMISSIONER MAY: So clearly the Commission does not  
23 have the appetite to let the PUD expire at this point. What I'm  
24 -- I think as a closing comment on this though, I think what I  
25 would want to point out is a potential lesson to the Office of

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1 Planning and the Zoning Commission, which is that there have been  
2 other cases where there is -- there are large land areas involved,  
3 and the -- in fact too large to really consider a PUD. It might  
4 have been a PUD, if we did it, you know, 20 years ago, but instead  
5 what we wound up with was a specialized set of zones. And so  
6 what I think of immediately are the, you know, what happened at  
7 Reservation 13 in the -- and at Walter Reed, and most recently,  
8 I think, at Howard Road, which is probably the smallest of all  
9 of those, and then St. Elizabeth's actually the same way. Right?  
10 And the use of those specialized zones and text amendments that  
11 go with them -- and I think, again, particularly of the Howard  
12 Road case where we had a pairing of specialized zones being  
13 established and requirements for more robust inclusionary zoning  
14 and other neighborhood amenities. And I just feel like if we  
15 have large tracts -- I mean, we don't have any other large tracts  
16 of land coming up any time soon, but, you know, when we look at  
17 a parcel like Skyland in the future, maybe it's, you know --  
18 maybe that really is a case for the kind of specialized zone,  
19 rather than trying to handle it as a PUD, so we don't have to go  
20 through this. And in fact, in the long run it makes the  
21 development more expeditious for the developer. They don't have  
22 to come back and check with us and make changes and things like  
23 that. So I see all of the fans have come out to hear me talk.  
24 Nice to see you, Archie. Anyway, but that was just my parting  
25 thought on this. So if there's anything to be learned from this,

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1 and so I -- you know, I'll go along with the setting it down as  
2 a modification of significance at this point.

3 CHAIRMAN HOOD: Thank you.

4 Archie. Archie, let me get your input before I go to  
5 you. Archie, do you -- what should we do with this one, Archie?

6 VICE CHAIR MILLER: Archie, do you have anything to  
7 say?

8 CHAIRMAN HOOD: Sometimes that's the best thing to do,  
9 Archie. Trust me.

10 VICE CHAIR MILLER: He wanted to hear Commissioner  
11 May's has had an intergenerational impact on the city, and he  
12 will live with your product a lot longer than we will.

13 CHAIRMAN HOOD: Yeah. So that's -- look at him clearly,  
14 Archie. That's who it is right there.

15 COMMISSIONER MAY: I'm hoping we're doing you right,  
16 Archie. I hope we're doing right for you.

17 CHAIRMAN HOOD: Well, it's always good to see you,  
18 Archie. Always good to see you. All right. Make sure you keep  
19 -- teach grandad how to work that computer.

20 All right. I see Mr. Ritting has shown up.

21 Mr. Ritting?

22 MR. RITTING: Yeah, I popped up to add something to the  
23 discussion here in response to Mr. May's comments. One way to  
24 deal with the potential issues that you've raised about the  
25 staleness of the PUD in light of the changes is to consider those

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1 in connection with the time extension request that's also on this  
2 evening's agenda, and to hold that in abeyance until after you've  
3 heard the Applicant talk about the changes to this PUD, as I'm  
4 sure you anticipate. That's all.

5 CHAIRMAN HOOD: Okay. So if we do this -- and I'm  
6 going to throw this out there, Mr. Ritting, and others -- well,  
7 colleagues and Mr. Ritting for a legal perspective, if we -- as  
8 Mr. Ritting said, if we hold the time extension in abeyance and  
9 give the Applicant two weeks to come back at our next meeting  
10 with more information as requested by Commissioner May, how does  
11 that sound with everyone? Any additional issues, Commissioner  
12 May, let me hear from you first? Yes, Commissioner May?

13 COMMISSIONER MAY: Yeah, I'm not sure that we really  
14 will benefit from that much other information. I, mean, maybe,  
15 you want to know more about the medical component, but you know,  
16 I would be happy enough at this point to just see, you know, to  
17 get a more robust explanation of what has been approved versus  
18 what they are proposing when it comes to a hearing. You know,  
19 that the -- you know, if I was really pushing hard on the question  
20 of, you know, why are we even considering this as a modification  
21 of significance, I might ask the Office of Planning and the  
22 Applicant to explain better why this really is the best course  
23 of action. But since there doesn't seem to be much appetite for  
24 that anyway, I don't see a real benefit in going through that  
25 extra work. So for me, I don't see a reason to delay a decision

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1 on whether to set it down as a modification of significance, but  
2 maybe, you know, for your questions, Mr. Chairman, you would.

3           And I agree -- I appreciate Mr. Ritting jumping in to  
4 remind us that we could hold the extension request in abeyance  
5 until we have the hearing and make decisions on that, on the  
6 changes, and I think actually that's advantageous for the  
7 Applicant anyway because then they get, you know, two years from  
8 the moment of that approval. Right? No, it's two years? Ms.  
9 Schellin, you're shaking your head.

10           MS. SCHELLIN: It's two years from the date that it  
11 expires.

12           COMMISSIONER MAY: Oh, okay. Well, by the time we have  
13 the hearing, then they might only need one year, or they might  
14 need three years. Who knows? I just feel like it's better to  
15 put off that decision until we've had the hearing.

16           MS. SCHELLIN: And that's what they were expecting  
17 anyway was that it be held until final action be taken on the  
18 modification.

19           COMMISSIONER MAY: Okay. All right. Well, Mr.  
20 Chairman, back to you.

21           CHAIRMAN HOOD: Okay. Well, I'm glad they were  
22 expecting that because I will tell you, when I show up, I never  
23 know what's going to happen because it's not predictable because  
24 all of us have different ways of doing stuff. So I think that's  
25 a good remedy for it though, and I would agree with holding off

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1 on the time extension after the hearing, but let me hear from  
2 others.

3 Commissioner Imamura?

4 COMMISSIONER IMAMURA: That seems reasonable to me, Mr.  
5 Chairman.

6 CHAIRMAN HOOD: Okay.

7 And Vice Chair Miller?

8 VICE CHAIR MILLER: Yeah, I support that approach.

9 Thank you.

10 CHAIRMAN HOOD: And did Archie want to weigh in on  
11 that?

12 VICE CHAIR MILLER: He's long disappeared to another  
13 computer and iPad or whatever.

14 CHAIRMAN HOOD: He's gone, okay. All right. Okay. So  
15 we all are in agreeance so we will set this down and we will hold  
16 the time extension in abeyance until after the modification of  
17 significance.

18 Now, Mr. Ritting, can we do all that in one motion?

19 MS. SCHELLIN: You don't need a motion on the time  
20 extension.

21 CHAIRMAN HOOD: We don't need a motion on it?

22 MR. RITTING: That's correct. The motion would be to  
23 set down the modification for significance for a hearing.

24 CHAIRMAN HOOD: And we don't need to do any action on  
25 the time extension, nothing, don't say anything?

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Commented [DG23]: UYou missed a lot of extra spaces in this transcript, not even mentioning the spaces for each new paragraph, but a lot of these still had spaces just thrown in the middle of the transcript, like line 12 above, at least 15 extra spaces, and I have found numerous so far.

1 MR. RITTING: Correct.

2 CHAIRMAN HOOD: Okay. All right. All right. Would  
3 somebody like to make a motion to set this case down?

4 VICE CHAIR MILLER: Yes.

5 COMMISSIONER IMAMURA: I'll defer to Vice Chair Miller.

6 VICE CHAIR MILLER: Oh, I'm sorry. Okay. I would move  
7 that the Zoning Commission set down Case No. 09-03H, Skyland  
8 Holdings, LLC, modification of significance of a PUD at Square  
9 5633, and ask for a second?

10 COMMISSIONER IMAMURA: Second.

11 CHAIRMAN HOOD: Okay. So moved and properly second.  
12 Any further discussion? Not hearing any, Ms. Schellin, would you  
13 do a roll call vote please?

14 MS. SCHELLIN: Yes.  
15 Commissioner Miller?

16 VICE CHAIR MILLER: Yes.

17 MS. SCHELLIN: Commissioner Imamura?

18 COMMISSIONER IMAMURA: Yes.

19 MS. SCHELLIN: Commissioner Hood?

20 CHAIRMAN HOOD: Yes.

21 MS. SCHELLIN: Commissioner May? Commissioner May?

22 COMMISSIONER MAY: Sorry, I forgot it was muted. Yes.

23 MS. SCHELLIN: Yes. So the vote is four to zero to  
24 one to set down Zoning Commission Case No. 09-03H as a contested  
25 case, the minus one, again, being the third mayoral appointee

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1 | seat, which is vacant.

2 |           CHAIRMAN HOOD: Okay. Ms. Schellin, do we have anything  
3 | else today?

4 |           MS. SCHELLIN: That is it since you're holding the time  
5 | extension in abeyance until this last case comes up for final  
6 | action.

7 |           CHAIRMAN HOOD: Okay. The Zoning Commission will meet  
8 | again on July the 6th, 2023, and the topic is Zoning Commission  
9 | Case 20-31B, and this is American University. Also, the date has  
10 | not been finalized, we're still working -- you want to tune into  
11 | -- I believe, the -- do we have a meeting on the 31st, Ms.  
12 | Schellin? Do we -- I mean a hearing or anything on the 31st?

13 |           MS. SCHELLIN: Of July?

14 |           CHAIRMAN HOOD: Yes.

15 |           MS. SCHELLIN: Yes, we do.

16 |           CHAIRMAN HOOD: Okay. That didn't show on my -- okay.  
17 | All right. Will all of us be here on the 31st?

18 |           MS. SCHELLIN: Yes, you will.

19 |           COMMISSIONER MAY: Probably.

20 |           CHAIRMAN HOOD: I'm asking? Excuse me.

21 |           MS. SCHELLIN: Oh, sorry.

22 |           COMMISSIONER MAY: Probably.

23 |           MS. SCHELLIN: I have your schedule.

24 |           CHAIRMAN HOOD: All of us will be here on the 31st?

25 |           COMMISSIONER MAY: Probably. Yeah.

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1 CHAIRMAN HOOD: That ain't good enough.  
2 MS. SCHELLIN: They have to be.  
3 CHAIRMAN HOOD: The Zon- --  
4 COMMISSIONER MAY: (Indiscernible) that later.  
5 CHAIRMAN HOOD: Okay. The goal is to do something on  
6 the 31st, unless I hear something otherwise, I want to make sure  
7 that everyone is here, please if you can, unless I get some other  
8 information, which may have to detract from that date. Okay.  
9 I've been working with this now for about a month, so this needs  
10 to happen.  
11 MS. SCHELLIN: The 27th is not good. We have someone  
12 out until --  
13 CHAIRMAN HOOD: I've worked -- I've worked on that.  
14 I'm not worried about that. So the 31st, I need everyone here.  
15 I'd like to do a meeting --  
16 COMMISSIONER IMAMURA: All right.  
17 CHAIRMAN HOOD: -- on this case. I need everyone here  
18 on the 31st.  
19 COMMISSIONER MAY: All right. I'll come on the 31st.  
20 CHAIRMAN HOOD: Thank you. Does anybody have anything  
21 else? All right. You all have a great 4th of July and stay away  
22 from the fireworks. If not, make sure you use a long stick when  
23 you're lighting the fireworks because we don't want any accidents  
24 so.  
25 All right. You all have a great one and I'll see you

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1 all and enjoy your holiday. This meeting is adjourned.

2 (Whereupon, the above-entitled matter was adjourned.)

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C E R T I F I C A T I O N

This is to certify that the foregoing transcript

In the matter of: Public Hearing

Before: DCZC

Date: 06-29-23

Place: Teleconference

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

*Donna S. Smith*  
Donna S. Smith

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