

GOVERNMENT OF  
THE DISTRICT OF COLUMBIA

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ZONING COMMISSION

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PUBLIC MEETING

+ + + + +

THURSDAY  
SEPTEMBER 8, 2022

+ + + + +

The Public Meeting of the District of Columbia Zoning Commission convened via videoconference, pursuant to notice, at 4:00 p.m. EDT, Anthony J. Hood, Chairperson, presiding.

ZONING COMMISSION MEMBERS PRESENT:

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

OFFICE OF ZONING STAFF PRESENT:

- SHARON SCHELLIN, Secretary
- PAUL YOUNG, Zoning Data Specialist

OFFICE OF PLANNING STAFF PRESENT:

- JOEL LAWSON, Project Manager

LINDEN NEIGHBORHOOD ASSOCIATION:

- ROBERT PITTMAN, Co-President

OFFICE OF ZONING LEGAL DIVISION STAFF PRESENT:

- JACOB RITTING, ESQUIRE

The transcript constitutes the minutes from the Public Meeting held on September 8, 2022.

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

(4:00 p.m.)

CHAIRPERSON HOOD: We are all here. I first wanted to -- my name's Anthony Hood, chair of the Zoning Commission. I want to welcome everyone back from their month off. We take the month of August off. And I want to welcome you back. I hope you had some relaxation, enjoyable time off with your families and friends. I hope you had a good time on vacationing, trips, or whatever you did. Now it's time to get back to work -- business of -- work -- the business of the City. So thank you. We're glad that everybody's doing okay and everybody's back. And that also goes out to the public as far as I know. So thank you that everything is well.

All right. So let's begin this public meeting. Good afternoon, ladies and gentlemen. We are convening and broadcasting this public meeting via video conferencing. My name is Anthony Hood. Joining me this evening are Vice Chair Miller, Commissioner May, and, you know, give me one moment. That's what happens when you come back and -- I have a old -- give me one moment please.

Let's try this again. Okay. And I'm just going to read from this. This is an old one that I had, still has Mr. Turnbull's name on it, so I don't know how that one popped back up. So I don't know what I'm reading here, but anyway. This shows when you've been off for 30 days, anyway. Let me try this

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1 again.

2           Good afternoon, ladies and gentlemen. We are convening  
3 and broadcasting this probably public meeting via video  
4 conferencing. My name is Anthony Hood. Joining me this evening  
5 are Vice Chair Miller, Commissioner Imamura, and Commissioner  
6 May. We're also joined by the Office of Zoning staff, Ms. Sharon  
7 Schellin, as well as the -- Mr. Paul Young who's handling all of  
8 our virtual operations. Also we're joined by Office of Zoning  
9 legal division, Mr. Jake Ritting and Mr. Dennis Liu.

10           Copies of today's meeting agenda are available on the  
11 Office of Zoning's website. Please be advised this proceeding  
12 is being recorded by a court reporter and is also webcast live,  
13 Webex and YouTube Live. The video will be available on the Office  
14 of Zoning's website after the meeting. Accordingly, all those  
15 listening on Webex or by phone will be muted during the meeting  
16 unless the Commission suggests otherwise.

17           For hearing action items, the only documents before us  
18 this evening are the application, the ANC setdown report, and the  
19 Office of Planning Report. All other documents in the record  
20 will be reviewed at the time of the hearing. Again, we do not  
21 take any public testimony in our meetings, unless the Commission  
22 requests someone to come forward and speak.

23           If you experience difficulty accessing Webex or with  
24 your phone, call in, and please call our OZ hotline number at  
25 202-727-0789. Again, 202-727-0789 for Webex login or call in

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1 instructions.

2 Okay. Does the staff have any preliminary matters?

3 MS. SCHELLIN: No, sir.

4 CHAIRPERSON HOOD: Okay. Let's move right along with  
5 our agenda. Our first case is a consent calendar item, minor  
6 modification and technical corrections. Zoning Commission Case  
7 No. 20-06A, Felice Development Group, Technical Corrections to  
8 Zoning Commission Order No. 22-06 to correct developments, Tables  
9 and Findings of Facts 31.

10 Ms. Schellin?

11 MS. SCHELLIN: Yes, sir. As you stated, the applicant  
12 has requested to make a technical correction to this finding of  
13 fact to correct this development table. And there's nothing  
14 further to state other than to say that OP did submit a report  
15 at Exhibit 5, stating that they agree with this request and noted  
16 that the GFA and the FAR loading requirements and use information  
17 for the east tower and the west tower were apparently  
18 inadvertently reversed, and they agree with this technical  
19 correction request.

20 CHAIRPERSON HOOD: Thank you. Ms. Schellin, I'm just  
21 going to read part of the caption for the record for the technical  
22 correction requests, as you've stated. Request to correct the  
23 development table provided in the Findings of Fact No. 31 of the  
24 original PUD order Zoning Commission Case No. 20-06 to correct  
25 the GFA and FAR. The order requires the uses of the east tower

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1 and west tower are consistent with both the consolidated PDB  
2 plans in Exhibit 79-A1, 79C, and the first stage PUD plans,  
3 Exhibit 80, 81-80C, and the original PUD order case record, as  
4 already been stated. So with that, we have this correction of  
5 oversight or correcting something. Any discussion? If not, I  
6 will move that we approve the technical correction as requested,  
7 and note that the ANC was served and obviously there was -- I  
8 don't believe we got a response. I don't think there's a response  
9 to the record. Yeah, we have not gotten a response yet, so I  
10 think it's pretty straightforward to make the correction. So I  
11 would move that we grant Zoning Commission Case No. 20-06A for  
12 the technical correction as noted -- captioned, and ask for a  
13 second.

14 VICE CHAIR MILLER: Second.

15 COMMISSIONER MAY: Second.

16 CHAIRPERSON HOOD: Been moved and properly seconded.

17 Any further discussion?

18 (No response.)

19 CHAIRPERSON HOOD: Not hearing any, Ms. Schellin, would  
20 you please do a roll call vote?

21 MS. SCHELLIN: Commissioner Hood?

22 COMMISSIONER HOOD: Yes.

23 MS. SCHELLIN: Commissioner Miller?

24 VICE CHAIR MILLER: Yes.

25 MS. SCHELLIN: Commissioner Imamura?

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1 COMMISSIONER IMAMURA: Yes.

2 MS. SCHELLIN: Commissioner May?

3 COMMISSIONER MAY: Yes.

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

7 CHAIRPERSON HOOD: Okay. Next, we have Zoning  
8 Commission, which is a minor modification. It's a determination  
9 of scheduling possible. Zoning Commission Case No. 07-13I, JJV  
10 MPDC, LLC, Modification of Consequences at Square 643S.

11 Ms. Schellin?

12 MS. SCHELLIN: Yes. On this one, they are requesting  
13 to extend the approved museum eating, drinking, establishment and  
14 retail uses into the west wing of the historic Randall School.  
15 Exhibit 6 is an OP report, saying they agree that it is a  
16 modification of consequence, and they recommend approval of the  
17 case. Exhibit 5 is AN-6D's report recommending support with two  
18 conditions which the applicant has agreed to already. So with  
19 that, the ANC being the only party, if the Commission chooses to  
20 do so after agreeing, deciding whether this is indeed a  
21 modification of consequence, if it chooses to do so, you could  
22 proceed with action on the case. Thank you.

23 CHAIRPERSON HOOD: Thank you, Ms. Schellin, for framing  
24 that and also making sure I do not forget to consider whether  
25 this is a modification of consequence or not. So first, let me

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1 make sure, colleagues, does anyone think this needs to come off  
2 as a modification of consequence?

3 (No response.)

4 CHAIRPERSON HOOD: Not hearing anyone, not seeing  
5 anyone, so next this will be determined as a modification of  
6 consequence. As already stated by Ms. Schellin, the ANC has  
7 provided their report, they were the only party. And I think  
8 they did have two conditions which I won't read, but they're on  
9 the record, and I'm sure we've all read them already. So with  
10 that, I think this is ready, unless -- let me just open it up  
11 and hear from others.

12 Commissioner May?

13 COMMISSIONER MAY: I just want to emphasize the fact  
14 that this is still a modification of consequence, even though  
15 what we're talking about is a change to the use. The thing is  
16 that we're not introducing any new uses; these are existing uses  
17 already approved for the site. And if -- it's not enough of a  
18 change of use to warrant consideration as a modification of  
19 significance. Also helps that the ANC has weighed in and is in  
20 favor, so. That's about all.

21 CHAIRPERSON HOOD: Okay. Thank you. Any other question  
22 or comments? All right. Would somebody like to make a motion  
23 to approve what's before us?

24 VICE CHAIR MILLER: Sure, Mr. Chairman. I would move  
25 that the Zoning Commission approve Zoning Commission Case No.

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1 07-13I JV MPDC, LLC Modification of Consequence at Square 643S  
2 with the two ANC conditions related to parking and traffic and  
3 ask for a second.

4 COMMISSIONER MAY: Second.

5 CHAIRPERSON HOOD: Okay. It has been moved and properly  
6 second by Commissioner May. Thank you. Any further discussion?

7 (No response.)

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

10 MS. SCHELLIN: Commissioner Miller?

11 VICE CHAIR MILLER: Yes.

12 MS. SCHELLIN: Commissioner May?

13 COMMISSIONER MAY: Yes.

14 MS. SCHELLIN: Commissioner Hood?

15 CHAIRPERSON HOOD: 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 No. 07-13I. The  
20 minus one being the third mayoral appointee, which is a vacant  
21 seat.

22 CHAIRPERSON HOOD: Okay. Let's move on. Let's go to  
23 -- okay. Let's go to Zoning Commission under deliberation, Zoning  
24 Commission Case No. 14-01B, Jemal's Hecht's, LLC and Jemal's  
25 Hecht's Tower Original, LLC, PUD Modification of Consequence at

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1 Square 40-37.

2 Ms. Schellin?

3 MS. SCHELLIN: Yes, sir. At the July 28th meeting, the  
4 Commission determined this case to be a modification of  
5 consequence, and the timeframe was set for submissions. Just to  
6 note, there was a letter from the SMD which staff has removed  
7 from the record because only parties can respond in modification  
8 of consequences. The ANC has not provided a response as of today,  
9 although the time has ended. The applicant did provide a letter  
10 at Exhibit 7 in response to, I believe it was, Commissioner Miller  
11 who asked them to provide a response regarding trash collection.  
12 So you have that in the record, and this case is ready for the  
13 Commission to deliberate on. Thank you.

14 CHAIRPERSON HOOD: Okay. Thank you. Colleagues, I  
15 believe, and I mentioned this previously, I know we have some  
16 other things to deal with, but I mentioned this previously, this  
17 is something that -- this area is something that we dealt with  
18 years ago, it's flourishing. And I just live in an area I see  
19 this taking a turnaround. So I think that the developers and  
20 those folks over there need some help. And I think this is a  
21 way they can get that. And I think we need to do everything  
22 possible because they took a chance on an area where a lot of  
23 people wouldn't have.

24 So either way, I think whatever we can do to help them  
25 sustain and things start pulling apart. I know -- well, one of

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1 the community folks mentioned to me about -- and I'm just -- I  
2 think about all this stuff all the time. One of the stores that  
3 was over there -- was it Adidas -- it was Nike left, and they  
4 asked me, Anthony, where's the Nike store? So people started  
5 leaving. They have to have an anchor to hold. So I'm not trying  
6 to make the case and I do think that what the Commissioner -- no,  
7 I don't think we need to weigh on that, but if the applicant  
8 agrees with it, I'm fine with it. But we want to make sure that  
9 we help that situation out over there because they always help  
10 out across the City.

11 So that's kind of where I am. And I know for a fact,  
12 I've seen things here recently, they need some help. So anyway,  
13 let me open it up for any questions or comments.

14 Commissioner May?

15 COMMISSIONER MAY: Yeah, I think -- I agree with you,  
16 Mr. Chairman, this is something that we should support. It seems  
17 like a pretty simple change, and it's supportive of the overall  
18 goals of the development and the goals of the ANC for their  
19 neighborhood. As they've expressed to them -- to us before, even  
20 if we don't have an official response from the ANC, there is the  
21 indication in the applicant's submission that the SMD  
22 representative strongly supports it, and it's just a matter of  
23 timing that we didn't get an ANC letter. So I think this is  
24 easily supportable, and, you know, as long as the applicant is  
25 fine with the conditions that were suggested, I think that it

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1 should be approved.

2 CHAIRPERSON HOOD: Okay.

3 Commissioner Imamura?

4 COMMISSIONER IMAMURA: Thank you, Mr. Chairman. I was  
5 not present at the hearing, but I did review the complete record  
6 and agree with Commissioner May's summary as well as the points  
7 that you articulated, Mr. Chairman, and the points that  
8 Vice Chair Miller had also made about sort of bookending the  
9 trash collection to specific hours. So with that, I'm prepared  
10 to support.

11 CHAIRPERSON HOOD: Okay.

12 And Vice Chair Miller?

13 VICE CHAIR MILLER: Thank you, Mr. Chairman. And, yes,  
14 I support -- I concur with your comments, Mr. Chairman, and those  
15 of my colleague, Commissioners May and Imamura. And I want to  
16 thank the applicant for responding to my request about while  
17 we're expanding the loading dock operation to 24 hours a day so  
18 this bakery can fill this vacant space. A wholesale bakery is a  
19 great use in this neighborhood. That type of use used to exist  
20 in this neighborhood a lot. Wholesale operations used to exist  
21 a lot, so I think it's great that it's -- they've gotten a  
22 wholesale baker in there.

23 The trash collection, limiting the hours, I appreciate  
24 the applicant doing that because there are a lot of residents  
25 around there, and the trash doesn't necessarily need to be in the

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1 middle of the night, even though the bakery is, obviously, making  
2 nice baked goods early in the morning. So I look forward to  
3 that. Thank you.

4 CHAIRPERSON HOOD: Okay.

5 So with that, I think unless I hear something else, I  
6 would move -- it won't let me go back, so I have to move on to  
7 another case. I will move approval of Zoning Commission Case No.  
8 14-01B as requested and captioned with the requests as noted by  
9 Commissioner Miller about the trash and that -- as that condition  
10 as noted. And I think I've captured everything. If not, I'm  
11 sure Mr. Ritting will show up on the camera.

12 So can I get a second?

13 CHAIRPERSON MILLER: Second.

14 CHAIRPERSON HOOD: It's moved and properly second. Any  
15 further discussion?

16 Not seeing any, Ms. Schellin, would you do a roll call  
17 vote please?

18 MS. SCHELLIN: Commissioner Hood?

19 COMMISSIONER HOOD: Yes.

20 MS. SCHELLIN: Commissioner Miller?

21 VICE CHAIR MILLER: Yes.

22 MS. SCHELLIN: Commissioner Imamura?

23 COMMISSIONER IMAMURA: Yes.

24 MS. SCHELLIN: Commissioner May?

25 COMMISSIONER MAY: Yes.

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1 MS. SCHELLIN: The vote, four to zero to one to approve  
2 Final Action Zoning Commission Case No. 14-01B. The minus one  
3 being the third mayoral appointee position which is vacant.

4 CHAIRPERSON HOOD: Okay. Thank you. Let's move right  
5 along to Final Action Zoning Commission Case No. 22-02, Office  
6 of Planning Map Amendment from MU-4 to MU-5A, Squares 4510, 4511,  
7 4513, 4514, 4515, 4516 and 4517, and Parcel 149/60.

8 Ms. Schellin?

9 MS. SCHELLIN: Yes, sir. The new exhibits, we have  
10 NCPC letter at Exhibit 11, advising that this case fell within  
11 the exception listed in Chapter 8 of their guidelines, and the  
12 staff determined that the map amendment is exempt from review  
13 after receiving no comments after it was available for public  
14 review on their website. Exhibit 13 was the Notice of Proposed  
15 Rulemaking that was published in the Register on July 22nd, and  
16 no comments were received. So this case is ready to proceed with  
17 final action.

18 CHAIRPERSON HOOD: Okay. Let me go to -- thank you,  
19 Ms. Schellin. Let me go to Commissioner May.

20 COMMISSIONER MAY: Yes. I just wanted to state for the  
21 record that I did review the complete record minutes of the  
22 hearing, and I am prepared to participate in the final action on  
23 this case.

24 CHAIRPERSON HOOD: Okay. Thank you, Commissioner May,  
25 for stating that. Who would like to start us off? I know

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1 Commissioner May -- I usually go to the Commissioner May, but  
2 since he read the record -- yeah, well, go ahead,  
3 Commissioner May. You're seasoned.

4 COMMISSIONER MAY: You know, I don't have an awful lot  
5 to say about this. I think that the hearing was pretty thorough  
6 and generally very positive about what the outcomes will be. And  
7 I'm very familiar with the structure of Benning Road. And I  
8 think that it will be beneficial in the long run, and it's  
9 consistent -- not inconsistent with the Comprehensive Plan, so I  
10 think a map amendment makes a lot of sense. So I don't think I  
11 have anything else to add, but would love to hear if any other  
12 commissioners have something to say.

13 CHAIRPERSON HOOD: Okay. Great.

14 Commissioner Imamura, anything?

15 COMMISSIONER IMAMURA: Thank you, Mr. Chairman. I  
16 don't have too much to add to that. I think the idea  
17 (indiscernible) possible. Certainly (indiscernible) some  
18 additional affordable housing. Its' worth noting that DHCD  
19 provided an email in support as well as DOU, and of course DDOT  
20 made comments that they don't anticipate any (indiscernible).  
21 And the Economic Development Advisor Committee -- Council rather,  
22 submitted a letter in support too, so I think this is very  
23 straightforward, and I am in support.

24 CHAIRPERSON HOOD: Okay. Thank you.

25 Vice Chair Miller?

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1 VICE CHAIR MILLER: I concur with my colleagues'  
2 comments. I have no additional comments, Mr. Chairman.

3 CHAIRPERSON HOOD: Okay. Thank you. The only thing  
4 I'm going to say is I -- and I appreciate my colleagues who  
5 captured everything -- when I look at the makeup of the Ward 7  
6 Economic Development Advisory Council, I think they submitted a  
7 letter of support. I know a lot of hard work. You have different  
8 folks from different walks of their professional way of life and  
9 the professionalism that they bring to that equation.

10 I think you have a win-win for the city. So I'm just  
11 hoping things continue to progress forward as it has here, which  
12 makes our job a lot easier. So with that, would somebody like  
13 to make a motion?

14 COMMISSIONER IMAMURA: Mr. Chair, I move that Zoning  
15 Commission take final action on Case No. 22-02, Office of Planning  
16 Map Amendment for -- from MU-4 to MU5-A at Squares 4510, 4511,  
17 4513, 4514, 15, 16, and 4517 in Parcel 149-60 and ask for a  
18 second.

19 CHAIRPERSON HOOD: I'll second it. It's been moved and  
20 properly second. Any further discussion?

21 (No response.)

22 CHAIRPERSON HOOD: Not hearing any, Ms. Schellin, would  
23 you do a roll call vote please?

24 MS. SCHELLIN: Commissioner Imamura?

25 COMMISSIONER IMAMURA: Yes.

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1 MS. SCHELLIN: Commissioner Hood?

2 CHAIRPERSON HOOD Yes.

3 MS. SCHELLIN: Commissioner May?

4 COMMISSIONER MAY: Yes.

5 MS. SCHELLIN: Commissioner Miller?

6 VICE CHAIR MILLER: Yes.

7 MS. SCHELLIN: The vote is four to zero to one to  
8 approve final action on Zoning Commission Case No. 22-02. The  
9 minus one being the third mayoral appointee position which is  
10 vacant.

11 CHAIRPERSON HOOD: Did somebody mention in this case  
12 that IZ does apply?

13 COMMISSIONER IMAMURA: I did, Mr. Chairman.

14 CHAIRPERSON HOOD: Sorry. Okay. You did. Okay. I  
15 just wanted to make sure somebody mentioned it. All right. Thank  
16 you.

17 Let's keep moving. Let's go to Zoning Commission Case,  
18 No. 22-01, Office of Planning Text Amendment Subtitle G, H and  
19 I, Permit Matter of Right Residential Use in a non-residential  
20 building built prior to 01/01/2022 that exceed development  
21 standards for residential use.

22 Ms. Schellin?

23 MS. SCHELLIN: At Exhibit 16, we have an NCPC report  
24 that states the proposed text amendments would not be  
25 inconsistent with the National Comprehensive Plan, and it would

1 not adversely impact other identified federal interests.  
2 Exhibit 18 is the Notice of Proposed Rulemaking, which was  
3 published in the D.C. Register on July 29th. We had one comment  
4 come in, and that was from the Office of the Attorney General,  
5 and that can be found at Exhibits 19 through 19C, and which  
6 basically or largely reiterates their previous comments  
7 encouraging the Commission to reconsider applying additional IZ  
8 set aside requirements. So with that, I'll turn it over to the  
9 Commission to deliberate on final action.

10 CHAIRPERSON HOOD: Okay. Thank you, Ms. Schellin.

11 I believe that we discussed the OAG. And I appreciate  
12 OAG submitting or to help us try to push, but I think we discussed  
13 this already, and we've talked about how currently our  
14 non-residential GFA to reside GFA as a matter of right, that the  
15 buildings complies. And I think we got into that, but instead  
16 of going back through all that again, and I know they reiterated  
17 basically as has already been stated, their first point, but I  
18 believe keep sending us that. Let's keep pressing as far as we  
19 can go. But I think we took a lot of this under consideration.  
20 But let me hear from others if you have other viewpoints. So  
21 let me open it up.

22 Commissioner may?

23 COMMISSIONER MAY: I think I pretty much agree with  
24 what you said, Mr. Chairman. We didn't really see anything new  
25 from the Office of the Attorney General. They repeated what they

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1 had said before, I mean, at least they are consistent. But I  
2 don't -- I mean, I think this is the wrong place to direct that  
3 energy. I think certainly we've had enough discussion of the  
4 need to be more aggressive in promoting affordable housing and  
5 especially to apply it in those areas where it does not currently  
6 apply, those limited places downtown where it does not apply.

7           And I don't -- I mean this is not really the venue to  
8 try to make a change like that because that's a pretty substantial  
9 change. We've been assured by the Office of Planning they will  
10 be -- we will be taking the issue up again. And so, you know,  
11 this is just clarifying, and you know, giving our stamp of  
12 approval to what has been the Zoning Administrator's practice  
13 already. So this is really -- I mean, this is just a simple  
14 clarification. It's not the place to try to add on a new issue,  
15 a new burden, you know.

16           And I think that the, you know, one of the really  
17 important points about this is that we shouldn't be doing things  
18 that make the conversion of downtown office buildings into  
19 housing any harder than it already is. It's a challenging thing,  
20 but it is a desirable thing. And there is some movement in that  
21 direction. And there is a strong argument to be made that, you  
22 know, increasing the supply of housing will ultimately help the  
23 affordability of housing. It's not going to reach the folks who  
24 need housing at the 50 percent AMI or MFI level.

25           But there are a lot of people who can't afford, you

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1 know, even the current 100 percent MFI levels. So it's, I think,  
2 just adding more housing has a beneficial effect. And I think  
3 we, you know, there is anecdotal evidence that that is already  
4 occurring with rents dropping in certain buildings when there's  
5 a lot more housing popping up in those neighborhoods. So I think  
6 this is, again this is not venue to make a big change. We will  
7 be taking it up. And right now this is just a necessary  
8 clarification so that we can make sure that the process for  
9 converting these buildings is simple.

10 CHAIRPERSON HOOD: Thank you. Well said.

11 Commissioner Imamura, any additions or comments?

12 COMMISSIONER IMAMURA: Thank you, Mr. Chairman.  
13 Nothing more than what Commissioner May has already stated.

14 CHAIRPERSON HOOD: Okay.

15 Vice Chair Miller?

16 VICE CHAIR MILLER: I thank Commissioner May for  
17 articulating those views, which I concur with.

18 CHAIRPERSON HOOD: I too concur with his comments. But  
19 I really -- I can't wait for us to get to the point, I think I  
20 said this some years back, to where we really feel the abundance  
21 of housing, and we really feel exactly -- while the rents and  
22 the mortgage may be going down some, I can't wait, and I know  
23 the residents as well. I'm waiting 'til we get to that point  
24 where we really feel it. So that's just where I am. But I agree  
25 with Commissioner May's comments at this time.

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1 All right. So somebody like to make a motion? I don't  
2 like to make all the motions if y'all haven't noticed by now.  
3 There's another group, they make a motions and the chairperson  
4 always seconds it, and so when history reveals itself, this is  
5 going to -- and I'm talking about it, I said this fellow just  
6 sort of basically two -- one person made the motion, the other  
7 one always second it. But I don't think -- the record needs to  
8 be, I think, it needs to go around that all the Commissioners  
9 are making motions. That's my side effect for the day.

10 COMMISSIONER MAY: I'd be happy to make a motion. I'm  
11 just usually not, like, not ready to read it off, because I don't  
12 have a (indiscernible) like I used to. So I will make a motion  
13 that we approve Zoning Commission Case No. 22-01, Office of  
14 Planning Text Amendments of Subtitles G, H and I, permit matter  
15 for right residential use of non-residential buildings built  
16 prior to 01/01/22 that exceeds the development standards for  
17 residential use. That was a mouthful.

18 CHAIRPERSON HOOD: Okay. It's been moved, and I'll  
19 second it. Moved and properly second. Any further discussion?

20 (No response.)

21 CHAIRPERSON HOOD: Not hearing any, Ms. Schellin, would  
22 you do a roll call vote please?

23 MS. SCHELLIN: Commissioner May?

24 COMMISSIONER MAY: Yes.

25 MS. SCHELLIN: Commissioner Hood?

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1 CHAIRPERSON HOOD: Yes.

2 MS. SCHELLIN: Commissioner Imamura?

3 COMMISSIONER IMAMURA: Yes.

4 MS. SCHELLIN: Commissioner Miller?

5 VICE CHAIR MILLER: Yes.

6 MS. SCHELLIN: The vote is four to zero to one to  
7 approve for final action Zoning Commission Case No. 22-01. The  
8 minus one being the third mayoral appointee position which is  
9 vacant.

10 CHAIRPERSON HOOD: And next we have Zoning Commission  
11 Case No. 21-18, Dance Loft Ventures, LLC, Consolidated PUD and  
12 Related Map Amendment at Square 4704.

13 Ms. Schellin?

14 MS. SCHELLIN: Yes, sir. At Exhibits 800 through 800A,  
15 802 and 803, you have the applicant's first hearing submissions.  
16 At Exhibit 804, you have an NCPC report stating that no federal  
17 interests were identified, and therefore, no comments were  
18 received to them. So we have -- this case is ready for the  
19 Commission to deliberate for final action. Thank you.

20 CHAIRPERSON HOOD: Okay. So let me just say on this  
21 case, even though this is a final action, proposed action we took  
22 a lot of time, and I know a lot of study, and this wasn't the  
23 most easy -- one of the easiest decisions that I've ever had,  
24 and I'm sure others as well. But I think we discussed this quite  
25 a bit during propose. And I think there are some policies and

1 some things that outweighed some of what's going to be there. So  
2 we can -- I don't want to -- I can go into that again, but I  
3 don't want to.

4 I think I would -- what I would do is direct anyone  
5 who's watching this proceeding, if they want to hear our  
6 full-fledged discussion, to go to our proposed action in this  
7 case because I think we fleshed out a lot of the issues and a  
8 lot of concerns and we tried to -- we came up with, I think, the  
9 best decision moving forward proposed. And I plan on moving  
10 forward with final, the best interest of the city. So that's  
11 kind of where I am. Let me open it up.

12 Commission May?

13 COMMISSIONER MAY: I think you hit the key point here,  
14 which is that we work through all these issues at our proposed  
15 action. It was -- it's not an easy case to decide because of  
16 the things that have to be balanced, but it is certainly  
17 worthwhile. And I think a decision in favor is well warranted  
18 when you do go through that necessary balancing of the facts in  
19 the case. So I'm strongly in favor of moving forward and granting  
20 final approval so that this project can --

21 CHAIRPERSON HOOD: Okay.

22 Commissioner Imamura?

23 COMMISSIONER IMAMURA: Thank you, Mr. Chairman.  
24 Likewise, I'm prepared to move forward and in favor. We did  
25 discuss this in an exhaustive discussion and not an easy one. So

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1 I want to make sure that (indiscernible) we thoroughly deliberate  
2 this. Again I'm ready to vote (indiscernible).

3 CHAIRPERSON HOOD: Okay.

4 And Vice Chair Miller?

5 VICE CHAIR MILLER: Yeah, I would just reiterate what  
6 you all have already said -- what each of you said, which is that  
7 at proposed action we thoroughly discussed this case and  
8 potential inconsistencies and how they're outweighed by the  
9 public benefits of the project and potential adverse impacts and  
10 how they're either mitigated or outweighed by the public  
11 benefits, which mostly include the production of housing and  
12 affordable housing, but also the retention of this important  
13 arts-related use in this neighborhood. I'm prepared to move  
14 forward, Mr. Chairman.

15 CHAIRPERSON HOOD: I thank you all for your comments.  
16 Yeah, I'd direct anyone who may be watching this proceeding to  
17 our proposed action comments, which may take a moment.

18 Anyway, Zoning Commission Case No. -- I would approve  
19 Zoning Commission Case No. 21-18, Dance Loft Ventures, LLC,  
20 Consolidated PUD and related map amendment at Square 4704 for  
21 final action and ask for a second.

22 VICE CHAIR MILLER: Second it.

23 CHAIRPERSON HOOD: It's been moved and properly second.

24 Any further discussion?

25 Ms. Schellin, would you do a roll call vote please?

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1 MS. SCHELLIN: Commissioner Hood?

2 CHAIRPERSON HOOD: Yes.

3 MS. SCHELLIN: Commissioner Miller?

4 VICE CHAIR MILLER: Yes.

5 MS. SCHELLIN: Commissioner Imamura?

6 COMMISSIONER IMAMURA: Yes.

7 MS. SCHELLIN: Commissioner May?

8 COMMISSIONER MAY: Yes.

9 MS. SCHELLIN: The vote is four to zero to one to  
10 approve final action, Zoning Commission Case No. 21-18. The  
11 minus one being the third mayoral appointee position which is  
12 vacant.

13 CHAIRPERSON HOOD: Okay. Next Zoning Commission Case  
14 No. 22-03, WCP 1207 H Street, LCC, Map of Amendment at Square  
15 1004.

16 Ms. Schellin?

17 MS. SCHELLIN: The new exhibits for this one is at  
18 Exhibits 55 and 55A, the applicant's post hearing submissions.  
19 And then at Exhibit 56, the NCPD Executive Director concluded the  
20 map amendment would not be inconsistent with the Comp Plan or any  
21 other identified federal interests. If you'll recall, the  
22 Commission left the record open for some neighbors who testified  
23 in opposition to meet with the applicant. Staff did have email  
24 communications with the neighbors about the meeting. They were  
25 going to meet, and I believe the applicant's draft order makes

1 mention that they did meet. However, there were no reports  
2 received in the record, so I just wanted to make note of that,  
3 that it was not ignored. I think they did meet.

4 CHAIRPERSON HOOD: Thank you, Ms. Schellin.

5 And I appreciate both the applicant and the residents  
6 were meeting as requested by us. And obviously, for me, no news  
7 is good news. I know that's an assumption, which I don't like  
8 to do. But I can tell you there is still a major, major problem,  
9 unless somebody missed the boat, they would have opined or they  
10 would have heard. And I'm still -- I said we won't, but I'm  
11 going to go with what's before me today. I'm ready to move  
12 forward. And it -- they have gotten a lot of support from  
13 Commissioner Pittman and others I believe, who have worked and  
14 who want to continue to work for the future development of this  
15 site.

16 And H Street is up and coming. It's been up and coming  
17 for a while, and it's actually -- it's been very well done for  
18 years, and we're getting there. It's a spot to go to in the  
19 city. So I'm hoping that all that was resolved. No news, again  
20 we didn't get a report. We extended the olive branch to -- so  
21 they could work, and I think they've done that, so I would just  
22 leave it at that. And also in this case, IZ Plus will apply to  
23 this map amendment. I think we -- I don't know. Well, I mentioned  
24 that this time, so. All right. So let's open it up to any  
25 questions or comments.

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1 Commissioner May?

2 COMMISSIONER MAY: I don't really have anything to add.  
3 I think we -- this is another one where we talked through it  
4 previously. So yeah, I think it's -- this is a map amendment  
5 well worth full approval.

6 CHAIRPERSON HOOD: Okay. Thank you.

7 Commissioner Imamura?

8 COMMISSIONER IMAMURA: I'd just reiterate what  
9 Commissioner May commented on and again just that IZ Plus applies  
10 to this map amendment, so prepared to move forward.

11 CHAIRPERSON HOOD: Okay.

12 And Vice Chair Miller?

13 VICE CHAIR MILLER: Thank you, Mr. Chairman. Yeah, I  
14 concur with all of your comments and just would note that even  
15 though we had some concern about the intensity of the project, I  
16 think there's sufficient evidence in the record that the proposed  
17 zoning does -- is consistent with the Comprehensive Plan Land Use  
18 Map designation of medium density residential and medium density  
19 commercial. So I'm also prepared to move forward.

20 CHAIRPERSON HOOD: Okay. So with that, I think this  
21 is ready for us. Would someone like to make a motion?

22 VICE CHAIR MILLER: Sure.

23 CHAIRPERSON HOOD: Okay. Vice Chair Miller?

24 VICE CHAIR MILLER: I would move that the Zoning  
25 Commission take final action on Case No. 22-03, WCP 1207 H Street,

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1 LLC, Map Amendment at Square 1004 and ask for a second.

2 COMMISSIONER IMAMURA: Second.

3 CHAIRPERSON HOOD: Okay. It's been moved and properly  
4 second. Any further discussion?

5 (No response.)

6 CHAIRPERSON HOOD: Not hearing any, Ms. Schellin, would  
7 you do a roll call vote please?

8 MS. SCHELLIN: Commissioner Miller?

9 COMMISSIONER MILLER: Yes.

10 MS. SCHELLIN: Commissioner Imamura?

11 COMMISSIONER IMAMURA: Yes.

12 MS. SCHELLIN: Commissioner Hood?

13 CHAIRPERSON HOOD: Yes.

14 MS. SCHELLIN: Commissioner May?

15 COMMISSIONER MAY: Yes.

16 MS. SCHELLIN: The vote is four to zero to one to  
17 approve final action on Zoning Commission Case No. 22-03. The  
18 minus one being the third mayoral appointee position which is  
19 vacant.

20 CHAIRPERSON HOOD: Let's move right along. Let's go  
21 to the time extension. Hold on one second. Okay. All right.  
22 Yeah. I don't think I missed a case. I thought I missed a case  
23 and was going back. All right. Zoning Commissioner Case, No.  
24 16-31I, MED Developers, LLC, one year PUD time extension at Square  
25 748.

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1 Ms. Schellin?

2 I do know that we have to deal with a waiver request.

3 Ms. Schellin?

4 MS. SCHELLIN: Yes, sir. Yes. So as you stated, the  
5 applicant is requesting a one-year time extension to extend the  
6 start of construction from June 26th, 2023 to June 26th, 2024.  
7 The waiver request is a waiver from the regulations that state  
8 that Subtitle Z, Section 705.6, which states that a request for  
9 an extension may not be filed more than six months prior to the  
10 expiration of the order. This request was made just under a year  
11 prior to the expiration. It was filed, I believe, in July.

12 So that's -- the first thing is the Commission would  
13 have to decide on whether it wants to waive the request being  
14 filed more than six months before the expiration. And  
15 that's -- the -- there is an OP report in support, and the ANC-6C  
16 submitted a report, voted to support the extension request that  
17 states it's in support of more affordable housing, but that's not  
18 what it's -- it's for the time extension. But they did submit a  
19 report.

20 CHAIRPERSON HOOD: Okay. Thank you, Ms. Schellin.

21 Typically, colleagues, we usually are not inclined --  
22 this may be the first, I don't know, well, maybe the second, I  
23 don't know, but either way, we're usually not inclined to do  
24 this. I don't see what the urgency is. I know that they're  
25 getting funds from different entities, like through the Housing

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1 Production Trust Fund, tax credits. I get that. But we put that  
2 in place for a reason, and if we -- for me, I'm always like this.

3 And I know sometimes we do do it, but I don't think  
4 this is one of those cases. But maybe -- I may be missing  
5 something. It won't be the first time. So let me open it up  
6 and hear from others. I think this can come back at another  
7 time.

8 How many months? Do we know how many months,  
9 Ms. Schellin, they are ahead of schedule?

10 MS. SCHELLIN: They don't expire until June of next  
11 year.

12 CHAIRPERSON HOOD: So they can come back in January.  
13 I'm understanding this correctly. Okay. Well, let me hear from  
14 others and see.

15 MS. SCHELLIN: Actually, December. They could come  
16 back in December.

17 CHAIRPERSON HOOD: December. Okay. December, which  
18 is just two months from now. Okay. Three months.

19 Commissioner May? Let me open it up.

20 COMMISSIONER MAY: Mr. Chairman, I'm -- I want to go  
21 back and look at the applicant's submissions because I thought  
22 they had made the case that they do need this information, or  
23 they do need the certainty that comes with the time extension in,  
24 you know, in advance of that six-month period so that they could  
25 be successful in applying for funds for that from the Housing

1 Production Trust Fund.

2           And I mean, I don't know. I mean I'm normally, you  
3 know, a bit of a grinch on time extensions, though I'm not  
4 necessarily voting against them, but at the very least  
5 complaining about them when they come in repeatedly, particularly  
6 on projects that take a very long time to get off the ground,  
7 because at a certain point you just have to pull the plug. This  
8 is one that has gone through a lot of, I think, funding  
9 challenges. And I'm, you know, now that there's the prospect  
10 that it could get this -- it could qualify for funding under the  
11 housing -- from the Housing Production Trust Fund, and that we  
12 could wind up with greater affordability as a result of that  
13 successful application. At least that's the way I understood it.  
14 Maybe I misunderstood it. But that's the way I understood it.

15           I mean, I would be in favor of doing it in advance.  
16 I'm agreeing with -- I agree with you, you know, we -- I don't  
17 remember ever doing this in advance of the six months. But we  
18 usually don't have a reason to consider it farther in advance.  
19 And in this case, I think maybe we do. So I'm certainly open to  
20 it.

21           CHAIRPERSON HOOD: So let's talk about that. I agree,  
22 and I'm going to go to others. But I agree with you, Commissioner  
23 May, but I'm just curious if we start it, everybody's going  
24 to -- and I -- and I'm really not that familiar with how the DHCD  
25 and the Housing Production Trust Fund work. But I know once we

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1 start it, everybody's going to have the Housing Production Trust  
2 Fund for the most part. And I hear what they're saying. I think  
3 we have had some other cases that has some financing issues, and  
4 I did read that part. But I mean, for me, I -- we hear that  
5 quite a bit. But anyway, we can hear from others and just have  
6 a discussion on that right quick, because once we do it we're  
7 going to have to get used to it. So that's just kind of where I  
8 am.

9 Commissioner Imamura?

10 COMMISSIONER IMAMURA: Well, thank you, Mr. Chairman.  
11 I think the hard part here is just in terms of a waiver setting  
12 a precedent. So I certainly can appreciate that. But as  
13 Commissioner May pointed out, I think this time extension could  
14 have a look that this project needs in order to be successful.  
15 So certainly, you know, don't want to impede the momentum that  
16 it could have or build to providing additional affordable  
17 housing. So I kind of read the record in the same light that  
18 Commissioner May did. I'm prepared maybe to vote in favor of  
19 this, in light of the fact that we might be setting a precedent  
20 for (indiscernible), but for good reason.

21 CHAIRPERSON HOOD: Okay.

22 Vice Chair Miller?

23 VICE CHAIR MILLER: Thank you, Mr. Chairman. I  
24 understand where you're coming from, in terms of -- and others  
25 on being strict on the waiver request. But I think in this case,

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1 good cause has been shown in terms of the affordable housing.  
2 Financing is always a challenge. And this project, we're aware  
3 of the various challenges based on the extensive record that's  
4 there. And the ANC is supportive, and so is Office of Planning.  
5 So I'm prepared to support this waiver request today.

6 CHAIRPERSON HOOD: Okay. I'm not going to make a  
7 battle about the waiver request, but I do want to say this. As  
8 Commissioner May mentioned, we're looking -- you know, hopefully  
9 we get deeper affordability. We're going to see this come with  
10 deeper affordability. And for those who are thinking about they  
11 have one as well, and they come and they use the Housing  
12 Production Trust Fund and all of DHCD, you know, we're going to  
13 be on the lookout for that. That's not just going to be an  
14 ongoing thing, because we know once we open the gates, it's going  
15 to happen.

16 But I think what we're trying to achieve here, I think  
17 what this applicant needs is some predictability, and I believe  
18 that the merits of the case, if it were to come in front of me,  
19 I would really push for this six months out. So if that's what  
20 you mean predictability, I'm giving you now that I would have  
21 voted in favor of this in December. So I'll just leave it at  
22 that.

23 So if that's predictability, let you know it's  
24 September, but I'd have voted in favor. And we had one vote  
25 already in favor in December. So I don't have a problem of moving

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1 forward in this fashion, but I believe that's what this applicant  
2 is going to look forward to. Any other comments or questions?  
3 If not, somebody can make a motion.

4 COMMISSIONER MAY: Yeah, I (indiscernible). I want to  
5 say, first of all, I'm very curious, it looked like  
6 Commissioner Imamura was holding a light saber there for a  
7 second. There's a glowing. That's pretty amazing. I can't hear  
8 what you're saying.

9 COMMISSIONER IMAMURA: It is a light saber. Yes,  
10 Commissioner May. It certainly is, so.

11 COMMISSIONER MAY: Okay. All right. Well, so we can  
12 use that to fend off any waiver requests that we think are  
13 unjustified, we'll ask Commissioner Imamura to pull out the light  
14 saber. I do think this is an exceptional circumstance. I'm not  
15 terribly worried about precedent setting in this circumstance  
16 because I think that it's -- and a pretty unusual circumstance.  
17 Often when this happens, it's, you know, it's no big deal to just  
18 say okay, well, we'll defer deciding this until we get closer to  
19 the time.

20 But you know, if we wind up getting a flood of waiver  
21 requests because projects are, you know, are going for Housing  
22 Production Trust Fund money, and they're going to wind up  
23 increasing their affordability levels of their project, that's  
24 probably a good problem to have. So I'm not too too worried  
25 about it.

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1 CHAIRPERSON HOOD: I would agree widely. I would agree  
2 with you a hundred percent, especially when you said the deeper  
3 affordability. I want to see it. I want the residents and all  
4 of us to feel it. You know, I want to see it, so. Anyway.  
5 Again, we can go ahead. You know, I have no problems with moving  
6 forward, but I just want to add, you know, if you'd have come in  
7 in December, I would have been ready to approve.

8 So let's -- okay. So we don't need to belabor. What  
9 about the merits as we -- I think we've actually mixed them or  
10 intertwined them all together, so we don't need to really discuss  
11 that. So if somebody -- or do I -- would somebody else like to  
12 make a motion to approve both the waiver and the request?

13 COMMISSIONER MAY: Yes.

14 CHAIRPERSON HOOD: Okay. Commissioner May?

15 COMMISSIONER MAY: I mean, can we do them at -- together  
16 at the same time, Ms. Schellin?

17 CHAIRPERSON HOOD: I don't see why not.

18 MS. SCHELLIN: You could do the waiver. Yeah, I think  
19 you could do them both.

20 COMMISSIONER MAY: Okay. So I would move the Zoning  
21 Commission waive its rules to consider a one-year time extension  
22 in advance of the six-month timeline for the expiration date, and  
23 that we go ahead and approve a one-year time -- PUD time extension  
24 for Zoning Commission Case 16-13I, MED Developers, LLC, and  
25 that's at Square 748.

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1 CHAIRPERSON HOOD: I second it. It's been moved and  
2 properly second. Any further discussion?

3 (No response.)

4 CHAIRPERSON HOOD: Not hearing any, Ms. Schellin, could  
5 you record the vote please?

6 MS. SCHELLIN: Commissioner May?

7 COMMISSIONER MAY: Yes.

8 MS. SCHELLIN: Commissioner Hood?

9 CHAIRPERSON HOOD: Yes.

10 MS. SCHELLIN: Commissioner Imamura?

11 COMMISSIONER IMAMURA: Yes.

12 MS. SCHELLIN: Commissioner Miller?

13 VICE CHAIR MILLER: Yes.

14 MS. SCHELLIN: The vote is four to zero to one to  
15 approve final action and to grant the waiver for approving the  
16 time extension less than -- I'm sorry, more than six months in  
17 advance in Zoning Commission Case No. 16-13I. The minus one  
18 being the third mayoral appointed position which is vacant.

19 CHAIRPERSON HOOD: Thank you, Ms. Schellin.

20 Let's go to hearing action in Zoning commission Case  
21 No. 22-20. Give me time to bring -- there he is. Mr. Mordfin  
22 from the Office of Planning. This is 1301 Good Hope Road, LLC  
23 Map Amendment at Square 5768.

24 Mr. Mordfin?

25 MR. MORDFIN: Okay. Good afternoon, Chair and members

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1 of the Commission. I'm Stephen Mordfin with the Office of  
2 Planning. One second. I lost my -- I have my words all written  
3 out. One second. I apologize.

4 CHAIRPERSON HOOD: Don't worry about it. Sometimes we  
5 have to get out all the cobwebs. I know I did. I was reading  
6 the wrong statements, so don't feel alone.

7 MR. MORDFIN: Okay. Thank you. Okay. Okay. So. I  
8 don't know what my computer's doing. I had it up, and then it  
9 went away. Okay. The subject property is located at 1916 13th  
10 Street, S.E. and is on the east side of 13th Street. I don't  
11 know what my computer is doing, it keeps -- is on the on the 13th  
12 side -- I'm sorry -- is on the east side of 13th Street between  
13 Good Hope Road and U Street. The applicant is requesting a map  
14 amendment from the R3, a residential house zone, to MU-4 a  
15 moderate density mixed use zone.

16 Can you change to the next slide please?

17 The Future Land Use Map generally identifies the  
18 subject properties appropriate for mixed use, a combination of  
19 medium density residential and medium density commercial uses,  
20 and these uses are consistent with the requested MU-4 zone. The  
21 general policy map designates the site is located within Main  
22 Street mixed use business corridor or traditional commercial  
23 business corridors.

24 As a long vacant site, the requested map amendment  
25 would permit an increase in uses, including commercial, office,

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1 and residential uses that could support the adjacent commercial  
2 District along Good Hope Road on what is today an underutilized  
3 site.

4 Can you move up to the next slide please?

5 The Housing Equity Report, dated October 15th, 2019,  
6 estimated that in 2018 the far southeast and southwest planning  
7 area, the planning area in which the subject property is located,  
8 had a 33.3 percent of all -- had 33 -- 30.3 percent of all the  
9 affordable housing units in the District, the most of any of the  
10 ten planning areas, and ANC-8A had a concentration of  
11 25.0 percent dedicated to affordable housing.

12 The report established an affordable housing production  
13 goal for all ten planning areas, including a goal of 1120  
14 affordable housing units for the far southeast/southwest planning  
15 area by the year 2025. The report states that there were 1,450  
16 affordable units in the production pipeline in 2019. In light  
17 of the abundance of existing affordable housing units and the  
18 intent of IZ Plus to produce affordable housing in areas that are  
19 not reaching their goal, OP recommends that this rezoning  
20 application not be subject to IZ Plus.

21 Despite the fact that the site is in Ward 8, the OP  
22 setdown report mistakenly references Ward 7. Should this  
23 application be set down by the Commission, OP will provide  
24 corrected information in the public hearing report. However, the  
25 information that you now see on the screen does correctly

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1 reference Ward 8 data, as compared to the citywide data. OP  
2 recommends the Commission set this application down for a public  
3 hearing and is available for questions. Thank you.

4 CHAIRPERSON HOOD: Thank you, Mr. Mordfin for your  
5 report. Let's see if we have any questions or comments.

6 Commissioner May?

7 COMMISSIONER MAY: No, I think -- well, let me ask you  
8 this question, Mr. Mordfin. The -- I mean, what is essentially  
9 in play here is making use of a building that looks like it's  
10 already been renovated for a commercial purpose. And it abuts  
11 the existing commercial zone. So it's really just shifting a  
12 line so that there could be a change in use. It really isn't  
13 going to wind up with a major redevelopment or more significant  
14 housing or anything like that. That's what's in play at this  
15 moment, right?

16 MR. MORDFIN: That is correct. The site is too small  
17 to -- even if they were to redevelop it, but it's also a historic  
18 District, so they are limited to what they can do to the building.

19 COMMISSIONER MAY: Yeah. Yeah. Okay. So it sounds  
20 like a pretty straightforward matter. I know we're not supposed  
21 to be thinking about like the future building, but it -- in this  
22 case, it's not even a future building, it's just a future use,  
23 so. All right. Well, that's fine. I have no further questions.  
24 Thank you.

25 CHAIRPERSON HOOD: Thank you.

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1 Commissioner Imamura?

2 COMMISSIONER IMAMURA: Thank you, Mr. Chairman. I have  
3 nothing to add. Just appreciate Mr. Mordfin's comment about why  
4 it's not appropriate for IZ Plus (indiscernible). Mr. Mordfin,  
5 thank you for your report.

6 MR. MORDFIN: I'm sorry? I didn't hear everything,  
7 Commissioner Imamura said. It didn't come through. Did he ask  
8 me a question?

9 CHAIRPERSON HOOD: So let me -- no, he didn't ask you  
10 a question. Let me say we're going to -- Ms. Schellin, we're  
11 going to do a -- let me just take this because I noticed some  
12 chopping up. I don't even know if I'm chopping up too, but I  
13 noticed some chopping up. We need to do a test, all of us. And  
14 I don't know if I need to announce it or what, but we all need  
15 to get on, I'm talking about my colleagues and I and Ms. Schellin  
16 with Mr. Young, and let's get on and practice and see what we  
17 can do to fine tune some of our audio problems because I know  
18 Commissioner Imamura's had -- but Commissioner May -- I think  
19 Commissioner -- Vice Chair Miller fixed his. You know, whoever  
20 that was. Who was that that turned up their volume?

21 MS. SCHELLIN: It was Jake. But we have that often  
22 with Commissioner Imamura. I'm not sure what it is.

23 CHAIRPERSON HOOD: Yeah, I just didn't say anything  
24 because I get through it. But yeah, something going on.

25 MS. SCHELLIN: Yeah, I'm not sure what it is, if it's

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1 his position to the computer or what.

2 COMMISSIONER IMAMURA: It could be. So I had nothing  
3 substantial to add. I just wanted to thank Mr. Mordfin for his  
4 report.

5 CHAIRPERSON HOOD: Sounded a lot better. I don't know  
6 whether you're moving forward like I do or what.

7 COMMISSIONER MAY: I think there's static from the  
8 light saber.

9 COMMISSIONER IMAMURA: It might have been static from  
10 that, from the light saber.

11 CHAIRPERSON HOOD: The light saber, okay. All right.  
12 So Vice Chair Miller, any questions or comments?

13 VICE CHAIR MILLER: No. Thank you, Mr. Chairman. I  
14 think this -- I thank Mr. Mordfin for bringing this forward,  
15 which is essentially a zoning consistency case, the R3 zone. I  
16 mean, it's a currently RZ zone and the Future Land Use Map  
17 designates it as medium density residential and medium density  
18 commercial. I think the MU-4 is more -- is much more consistent  
19 with that Future Land Use Map designation. And even though IZ  
20 Plus is not being recommended as a designation, because of the  
21 disproportionate amount of affordable housing that's already  
22 being provided in this neighborhood planning area, I would just  
23 note that I -- the regular IZ, Inclusionary Zoning, would apply  
24 in the case, which is in Mr. Mordfin's report and otherwise in  
25 the record. So I'm supporting setting down, Mr. Chairman.

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1 CHAIRPERSON HOOD: Okay. All right. I don't have any  
2 questions for Mr. Mordfin. I think it was very well done. So  
3 thank you, Mr. Mordfin. Even with the corrections, so thank you  
4 for noting that as well. So what I would do is make a motion  
5 for an action. I'll do this one. I'll make a motion that we  
6 set down Zoning Commission Case No. 22-20, 1301 Good Hope Road,  
7 LLC Map Amendment at Square 5768 and ask for a second.

8 VICE CHAIR MILLER: Second.

9 CHAIRPERSON HOOD: Moved and properly second. Any  
10 further discussion?

11 (No response.)

12 CHAIRPERSON HOOD: Not hearing any, Ms. Schellin, would  
13 you do a roll call vote?

14 And thank you, Mr. Mordfin, we appreciate it.

15 MS. SCHELLIN: Commissioner Hood?

16 CHAIRPERSON HOOD: Yes.

17 MS. SCHELLIN: Commissioner Miller?

18 VICE CHAIR MILLER: Yes.

19 MS. SCHELLIN: Commissioner Imamura?

20 COMMISSIONER IMAMURA: Yes.

21 MS. SCHELLIN: Commissioner May?

22 COMMISSIONER MAY: Yes.

23 MS. SCHELLIN: The vote's four to zero to one to set  
24 down Zoning Commission Case No. 22-20 as a contested case. The  
25 minus one being the third mayoral appointee position which is

1 vacant.

2 CHAIRPERSON HOOD: Okay. Thank you, Ms. Schellin.

3 I think we have a few more items. Zoning Commission  
4 Case No. 22-12, Mid-Atlantic Neighborhood Development Corporation  
5 Map Amendment at Square 2819. Is that -- Mr. Cochran?

6 MR. COCHRAN: Let's see. There I am. Thank you,  
7 Mr. Chair. I'm Steve -- I am Steve Cochran. I'm representing  
8 OP on this Case 22-12. And OP recommends that the Commission  
9 set down the petition for a map amendment from an MU-3A zone to  
10 an MU-7A zone as for lots 810 to 813 in Square 2819. And we're  
11 recommending that you make it subject to IZ Plus. The applicant's  
12 seeking a rezoning for the properties in the 4400 block of 14th  
13 Street and Arkansas Avenue, which is two blocks south of the  
14 WMATA bus garage in the mid-14th Street neighborhood commercial  
15 area.

16 This is a zoning consistency request to implement  
17 changes to the Square's Future Land Use Map designation.

18 And if you'd go to the next slide, that'd be great.

19 Okay. The square was previously shown as appropriate  
20 for commercial low density. It's now showing as appropriate for  
21 medium density residential and moderate density commercial on the  
22 new Future Land Use Map. The existing MU-3A zone would permit  
23 40 feet and an FAR of 1.0, or 1.2 if you include the IZ. That  
24 level of density is not consistent with the new FLUM designation.  
25 The proposed MU-7A zone, a 65-foot height and 4.04 FAR or 4.8

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1 with IZ, would be consistent with the new designation.

2 As OP's report indicates, the zone changes would be not  
3 inconsistent with the Comp Plan's citywide and the area elements.  
4 It would also likely further the central 14th Street Small Area  
5 Plan's objectives for increasing housing and employment  
6 opportunities, and the increased density may incentivize some of  
7 the Plan's retail objectives.

8 The map amendment would increase density on the site  
9 fourfold. And IZ Plus is appropriate because the Rock Creek East  
10 area within which the property is located has a goal of increasing  
11 its percentage of the District's affordable housing units from  
12 the current five percent to the objective of nine percent by  
13 2025. Although this map amendment does not include a specific  
14 development proposal, if a future development did include  
15 residential use, OP estimates that IZ Plus would add 12 to 15  
16 affordable units to what would otherwise be required.

17 The map amendment would also help achieve the  
18 Comprehensive Plan's objectives as viewed through a racial equity  
19 lens. The density increase, coupled with IZ and IZ Plus, would  
20 incentivize not only more affordable housing, but also more  
21 small-scale businesses and the job opportunities they would  
22 provide. This is why, in brief, OP recommends this map amendment  
23 petition be set down. And of course I'm happy to answer any  
24 questions.

25 CHAIRPERSON HOOD: Thank you very much, Mr. Cochran.

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1 We appreciate your report. Let's see if we have any comments or  
2 question.

3 Commissioner May?

4 COMMISSIONER MAY: I do not have any comments or  
5 questions.

6 CHAIRPERSON HOOD: Commissioner Imamura?

7 COMMISSIONER IMAMURA: No, I changed light sabers, so  
8 hopefully I sound a little bit better. No questions or comments.  
9 Thank you, Mr. Cochran.

10 CHAIRPERSON HOOD: Vice Chair Miller?

11 VICE CHAIR MILLER: Thank you, Mr. Cochran, for your  
12 report, particularly the analysis and recommendations with regard  
13 to Comp Plan consistency.

14 CHAIRPERSON HOOD: Okay. I don't have any -- does  
15 Archie have any questions, Vice Chair Miller? I just had to do  
16 that.

17 I don't have any questions, Mr. Cochran. Thank you for  
18 your report.

19 So with that, Commissioners, I think Mr. Cochran has  
20 given us a well-detailed report. I'm in favor of setting this  
21 down. Let's see -- would somebody would like to make the motion?

22 And thank you, Mr. Cochran.

23 (No response.)

24 CHAIRPERSON HOOD: What, nobody wants to make it? Where  
25 Archie at, he'd make it.



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VICE CHAIR MILLER: On behalf of Archie, Mr. Chairman, I would make the motion to approve Case No. 22-12, Mid-Atlantic Neighborhood Development Corporation map amendment at Square 28-19 and ask for a second.

COMMISSIONER MAY: Second.

CHAIRPERSON HOOD: It's been moved and properly second. Any further discussions?

(No response.)

CHAIRPERSON HOOD: Not hearing any, Ms. Schellin, would you do a roll call vote please?

MS. SCHELLIN: Commissioner Miller?

VICE CHAIR MILLER: Yes.

MS. SCHELLIN: Commissioner May?

VICE CHAIR MILLER: Yes.

MS. SCHELLIN: Commissioner Hood?

CHAIRPERSON HOOD: Yes.

MS. SCHELLIN: Commissioner Imamura?

COMMISSIONER IMAMURA: Yes.

MS. SCHELLIN: The vote is four to zero to one to set down Zoning Commission Case No. 22-12 as a contested case. The minus one being the third mayoral appointee position which is vacant.

CHAIRPERSON HOOD: Vice Chair Miller, I hope you don't mind when I have fun with that because when I have problems in

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1 other meetings with my computer, they always tell me call my  
2 grandkids to help me, and sometimes they actually do. So I  
3 figured if I'm going through that, everybody probably is.

4 VICE CHAIR MILLER: He just had his first day of  
5 preschool today. I don't think they had a big computer session  
6 there, but I'll have him take a look at my laptop afterwards.

7 CHAIRPERSON HOOD: Good. I hope he had a good day.

8 All right. See when I do that, I forget where I am.  
9 I mean, I think we're on 96-13A, right, Ms. Schellin?

10 MS. SCHELLIN: (No audible response.)

11 CHAIRPERSON HOOD: Okay. Next, Zoning Commission Case  
12 No. 9613-A. This is Street Retail, LLC, PUD Modification of  
13 Significance and Related Map Amendment at Square 1661.

14 Mr. Kirshenbaum?

15 MR. KIRSCHENBAUM: Good evening, Chair Hood and members  
16 of the Zoning Commission. I am Jonathan Kirschenbaum with the  
17 Office of Planning. This application is to modify a portion of  
18 an existing PUD, located at 5333 Wisconsin Avenue, N.W., to build  
19 a new mixed-use development. On balance, the proposal is not  
20 inconsistent with the Comprehensive Plan, including its policies,  
21 Future Land Use Map, and Generalized Policy Map. OP recommends  
22 that this application be set down for a public hearing.

23 Next slide please?

24 So the applicant proposes to modify the portion of the  
25 existing PUD that's outlined in red. This portion of the site

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1 to be modified contains a large retail commercial building  
2 fronting Wisconsin Avenue. The remainder of the existing PUD is  
3 to the right. It's outlined in blue. It contains 29 townhouses,  
4 and it would not be modified as part of this application. The  
5 applicant proposes to replace that existing retail building with  
6 a 12-story mixed-use building with 14,000 square feet of ground  
7 floor retail space and approximately 310 dwelling units.

8           The applicant is proffering to dedicate 15 percent of  
9 the residential gross floor area for IZ units, and they would  
10 commit to providing half of those units at 50 percent MFI and  
11 the other half at 60 percent MFI. And as the Commission is aware,  
12 this would represent deeper affordability than what is typically  
13 required by the regular IZ program.

14           Flexibility has also been requested for a related map  
15 amendment from the existing C3-B PUD zone to an MU-9A PUD zone  
16 and also for the design of the building.

17           Next slide please?

18           The Future Land Use Map indicates the property is  
19 generally appropriate for high-density residential and  
20 high-density commercial uses. According to the framework element  
21 of the Comprehensive Plan, the MU-9A zone is consistent with  
22 these categories.

23           Next slide please?

24           The Generalized Policy Map indicates that the property  
25 is designated as a regional center. The policy map designation

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1 anticipates mixed-use buildings containing both residential and  
2 retail uses. This project would bring more housing and more  
3 residents to the area, and that in turn has the potential to  
4 support the existing sort of regional retail character of this  
5 retail corridor along Wisconsin Avenue and Friendship Heights.

6 The policy map also indicates that the property is in  
7 a future planning analysis area. However, the Comprehensive Plan  
8 also contains language that PUDs, such as this one that's  
9 proposed, do not need to wait for future planning work to be  
10 completed prior to being considered by the Commission.

11 Next slide please?

12 And as the Commission is well aware, the Comprehensive  
13 Plan consistency analysis requires a project to be evaluated  
14 through a racial equity lens. The proposal would provide 310  
15 dwelling units where currently none exist. The Comprehensive  
16 Plan recognizes that without increased housing, the imbalance  
17 between supply and demand drives up housing prices. This planning  
18 area has both the lowest share of dedicated affordable units in  
19 the District and it also has the greatest need for more affordable  
20 units, as identified in the 2019 Housing Equity Report.

21 And as I previously mentioned, the proposal would  
22 provide more IZ units at deeper affordability levels. You know,  
23 again, half of the units would be 50 percent MFI and the other  
24 would be 60 percent MFI. Making room for more affordable housing  
25 has the potential to benefit non-white populations, who on

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1 average have lower incomes than white residents.

2           Redevelopment of the site would not result in any  
3 residential displacement, as there is currently no residential  
4 uses on this portion of the property. The proposal would create  
5 more housing and affordable housing in a transit-rich area that's  
6 adjacent to the Metro station and along several bus lines. The  
7 project could create jobs and would be in proximity to other  
8 employment opportunities.

9           We do note that the applicant should provide additional  
10 information about what will happen to the existing retail tenants  
11 at the site, and they should consider leasing the new retail  
12 spaces that are proposed to small and local businesses that are  
13 based in the District. The proposal would also be located near  
14 many neighborhood amenities, including schools, retail,  
15 supermarkets, and other recreational opportunities.

16           And finally, the project would be certified LEED Gold,  
17 but the applicant is also strongly encouraged to include  
18 additional resilience design strategies into the project. And  
19 the applicant's proposed proffers are noted in OP's set down  
20 report on pages eight through 10, and they will continue to be  
21 refined through the PUD review process if the Commission does  
22 decide to set this down tonight.

23           This concludes my presentation. Please let me know if  
24 you have any questions. Thank you.

25           CHAIRPERSON HOOD: Thank you, Mr. Kirschenbaum. Let's

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1 see if we have any questions or comments.

2 Commissioner May?

3 COMMISSIONER MAY: Yeah. Well, I guess I'm looking  
4 forward to the hearing on this. We may be here a while when we  
5 have this hearing. Have you gotten a sense at this point of the  
6 developer's interactions with community and the reactions or any  
7 of that yet, do we have any read on that?

8 MR. KIRSCHENBAUM: We do. I mean, they have told us  
9 they have been working fairly closely with the community,  
10 particularly the ANC. And so the sort of current proffers that  
11 we evaluated briefly as far -- in the set down report, you know,  
12 included those discussions with the community.

13 COMMISSIONER MAY: Okay. I mean, I'm less concerned  
14 about what the ANC has to say. I think that the -- I mean, the  
15 ANC is looking at broader interests. And what I'm concerned  
16 about are like the immediately impacted neighbors to the east  
17 -- yeah, to the east side of this, the townhouses that are  
18 adjacent that were part of the original PUD and then the neighbors  
19 across the street.

20 Presumably, the applicant is doing the appropriate  
21 outreach to the extent that they can for this, but I expect that  
22 we will hear from a lot of people that might -- the impacts of  
23 this large building replacing a more modest structure in that  
24 location. But it's certainly not a reason not to set it down.  
25 I agree with the issues that the Office of Planning has raised

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1 that need further clarification before we actually have a  
2 hearing. And I will look forward to the hearing and hope that  
3 it goes smoothly and quickly. But I'm not sure it will. We'll  
4 see. Thanks.

5 MR. KIRSCHENBAUM: Thank you.

6 CHAIRPERSON HOOD: Okay. Thank you.

7 Commissioner Imamura?

8 COMMISSIONER IMAMURA: I have no comments. Thank you,  
9 Mr. Kirschenbaum, for your report.

10 CHAIRPERSON HOOD: All right.

11 And Vice Chair Miller?

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

13 Yeah. Thank you, Mr. Kirschenbaum, for your report.  
14 I have no comments or questions at this time. I'll reserve that  
15 for the hearing, and I support -- which I support setting down  
16 this case for a hearing.

17 CHAIRPERSON HOOD: I always -- thank you, Mr.  
18 Kirschenbaum, as well for your report. But I will always  
19 encourage the applicant and the community to work together to  
20 close any of the gaps that may exist. I don't want to pinpoint  
21 and get into any wait and see what happens at the hearing, but  
22 I'm hoping that outstanding issues they work together to try to  
23 resolve, if not mitigate. And I've said this to reach out to  
24 the community and work with them. And according to you,  
25 Mr. Kirschenbaum, they're already doing it, so thank you.

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1 I don't have any issues about setting this down. And  
2 I think, Commissioner May, I'm hoping that you're wrong, that  
3 it's not going to be a long night. But I think you're probably  
4 right. But either way, we will handle whatever comes before us.

5 Somebody like to make a motion to set this down?

6 COMMISSIONER IMAMURA: Sure, Mr. Chairman, I'll make  
7 the motion. I move that the Zoning Commission set down Case No.  
8 96-13A, Street Retail, LLC, PUD modification of significance and  
9 related map amendment at Squares 1661, ask for a second.

10 CHAIRPERSON HOOD: I'll second that.

11 It's been moved and properly second. Any further  
12 discussion?

13 (Not response.)

14 Not hearing any, Ms. Schellin, would you do a roll call  
15 vote please.

16 MS. SCHELLIN: Commissioner Imamura?

17 COMMISSIONER IMAMURA: Yes.

18 MS. SCHELLIN: Commissioner Hood?

19 CHAIRPERSON HOOD: Yes.

20 MS. SCHELLIN: Commissioner May?

21 COMMISSIONER MAY: Yes.

22 MS. SCHELLIN: Commissioner Miller?

23 VICE CHAIR MILLER: Yes.

24 MS. SCHELLIN: The case is -- Case No. 96-13A is set  
25 down as a contested case, four to zero to one. The minus one



1 being the third mayoral appointee position which is vacant.

2 CHAIRPERSON HOOD: Okay. Thank you.

3 Last, we have a correspondence item. Ms. Schellin,  
4 could you tell us about the correspondence item?

5 MS. SCHELLIN: Yes, sir. This is a letter from the  
6 Zoning Administrator just advising the Commission that in these  
7 cases, 06-11Q, 06-12Q, and 01-17E, that the George Washington  
8 University has ended its temporary housing.

9 CHAIRPERSON HOOD: Thank you to -- thank you, and thank  
10 you to the Zoning Administrator for following up what we asked  
11 to be done and notifying us about it. We all appreciate that.  
12 Some of us were here when that was done, so thank you.

13 Do any of my colleagues have anything else?

14 Ms. Schellin, you have anything?

15 MS. SCHELLIN: No, sir.

16 CHAIRPERSON HOOD: Okay. So I guess Office of Planning,  
17 they're gone, so they might not have an update for us.

18 All right. So with that what I will say is that we're  
19 going to continue the at home address, and I'm sure we will  
20 discuss again once we continue to look at the stats. I know we  
21 had said something about --

22 MS. SCHELLIN: I can tell you the latest. Three percent  
23 want --

24 CHAIRPERSON HOOD: Well, let me just finish this.

25 MS. SCHELLIN: Oh, yeah.

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1           CHAIRPERSON HOOD: And I'll come to you. Let me just  
2 finish this. And I'll tell you, the reason I'm bringing this  
3 up, because I ran into the chair of the ABC Board, and he and I  
4 always exchange ideas and cliff notes. So one of the things that  
5 we may have to look at towards the end of the year, I know the  
6 numbers -- this thing fluctuates, goes down, fluctuates, but  
7 they're starting to open things back up.

8           I think what we have here is working. I'm ready to do  
9 another year like this. And when I say that, I'm probably three  
10 months -- since we're doing things prior, just proving the case,  
11 I'm doing this four months prior just to make a decision for next  
12 month. So I'm breaking my own rule about doing stuff six months  
13 ahead of time.

14           So I think, you know, I'm just throwing that out there  
15 for discussion. We can talk about it later, but I do know that  
16 this stuff is still out here and it's still alive and working  
17 and unfortunately still affecting people. But I know that this  
18 is working too. I think this is working even better, from my  
19 standpoint. But we can have a dialog on it at some point. But  
20 if anybody has anything they want to say now, and then I'll go  
21 to Ms. Schellin.

22           Commissioner May, any comments?

23           COMMISSIONER MAY: No. It is a difficult balance. I  
24 think that it -- there's certainly -- we certainly seem to be  
25 turning a corner with being able to do more things in person.

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1 But I, you know, I've thought long and hard about the benefits  
2 of the virtual meeting format and the increased participation  
3 that we get and the convenience for all of the people who want  
4 to participate in this process. And in many ways, it is much  
5 more convenient for the members of the Commission and the staff  
6 who work and the people involved in, you know, this on a regular  
7 basis, it's very -- the most important thing is that the members  
8 of the public who don't have to do this very frequently, but you  
9 know, and have, you know, many other constraints on their time  
10 and their lives, it gives them a way to give us direct feedback  
11 that we didn't have before. So I don't -- I mean, I think the  
12 one thing that I really do miss is that I want to touch the  
13 materials boards.

14 CHAIRPERSON HOOD: We'll have them sent to your house.

15 COMMISSIONER MAY: You can just have them deliver them  
16 to my house, then I'll go over to the Zoning office. You know,  
17 I mean, that -- yeah, I think it's a good thing. I think it  
18 would be okay for us to continue for a while longer, at the very  
19 least, and maybe make this a permanent thing.

20 CHAIRPERSON HOOD: I would agree.

21 All right. Commissioner Imamura, any comments? And  
22 I'm just -- since we're doing thing in advance, I figured I would  
23 just bring that up tonight for discussion, a quick discussion.  
24 But we can give you more details I guess around November and see  
25 where we are again.

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1 Commissioner Imamura?

2 COMMISSIONER IMAMURA: Sure. I'm in agreement. I  
3 think it's important to have increased public participation,  
4 accessibility, convenience, participation that are, I think, is  
5 really important for the city, for meetings, so. As  
6 Commissioner May had pointed out, I think there's a lot of  
7 benefits to maintaining course here in a virtual setting, so.  
8 And I think people have become accustomed to it. So I'm certainly  
9 in favor.

10 CHAIRPERSON HOOD: Right.

11 And Vice Chair Miller?

12 VICE CHAIR MILLER: Just briefly. Yeah, I agree with  
13 everything that everybody said. It has, for us, I think it works.  
14 It works very well. I mean, for us and I mean us meaning the  
15 public mostly, but for us, as panelists on the Commission and for  
16 the staff, I think it's -- the staff really needs to -- really  
17 should be, as we've done in the past, commended for making it as  
18 seamless a process for everybody involved.

19 We've learned to, you know, the technical glitches of  
20 whatever they are and from time to time audio or logging in, as  
21 I had today, are frustrating, but they're far outweighed by the  
22 convenience of everybody participating, and which has just been  
23 a great thing. And so I'm happy if this goes on forever. Not  
24 happy if the COVID goes on forever. I and my family got COVID  
25 during the recess; we took the opportunity to do that.

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1 MS. SCHELLIN: Me too.

2 VICE CHAIR MILLER: So I'm glad that we didn't have  
3 meetings during that one week because I didn't feel really up to  
4 it. But I, obviously, survived at least the first round. So  
5 anyway.

6 CHAIRPERSON HOOD: So I will say that one of the things  
7 that -- out of all this conversation, excuse me, and all this  
8 that went on, it was while I was on the BZA, and I saw a lady  
9 with her newborn participating in the hearing. See we have did  
10 it all. Like if we were downtown she wouldn't have been able to  
11 participate. She had some very good issues. And to me, that  
12 took it all. I'm not saying, not discounting anybody else, but  
13 she had a newborn, and she had -- was holding the newborn while  
14 she was testifying, and she was able to do that. To me, that  
15 showed me that this process, even -- hopefully COVID, as you  
16 mentioned, Vice Chair, goes away sooner than later, but I think  
17 this allows more participation from the -- and it's easier on the  
18 staff, and it's easier on us as well, so.

19 VICE CHAIR MILLER: Mr. Chairman, I just want to mention  
20 one, a couple -- one example of the increased participation and  
21 scheduling. I think it may have been BZA cases rather than Zoning  
22 Commission, but in two that I remember, a party tuned in from  
23 Africa and tuned in from -- participated from Asia. You know,  
24 we would have had said no, we can't do it if we're going to be  
25 overseas. Well, you can tune in from overseas too, so.

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1 CHAIRPERSON HOOD: Right. Right. It's amazing success  
2 stories that -- so we'll talk -- let's hear from the staff  
3 standpoint. Ms. Schellin?

4 MS. SCHELLIN: Yeah.

5 CHAIRPERSON HOOD: If you're going against what we're  
6 saying, we're going to cut you off.

7 MS. SCHELLIN: No, no, no. It's just funny that you  
8 ask though because just recently in our managers' meeting, we  
9 discussed that and wondered where we were. And our director  
10 checked the -- because whenever people sign up to testify, and  
11 so she checked to see what the latest stats were, and the  
12 in-person went down to 3 percent and the continue virtual, I  
13 think it went up from what it was, it was 85 percent, and a hybrid  
14 was somewhere, I guess, 12 percent, that's what's left.

15 So it, you know, whereas before some in-person was, I  
16 think, was up higher than 3 percent before. Sorry, I got a new  
17 copy unit, it's going crazy. But I just got an email from  
18 Jennifer saying she has a quick update, if you would indulge her.

19 CHAIRPERSON HOOD: So we'll revisit that again. But I  
20 think we are pretty much on the same page, and I'm not sure where  
21 the BZA is, but we can always let (indiscernible). No, I'm just  
22 playing. All right. Let's see who -- Ms. Steingasser's here.

23 Ms. Steingasser?

24 MS. STEINGASSER: Chairman Hood, Commissioners, it's  
25 good to see everyone. I just wanted to give a really quick update

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1 on where OP has been through the summer working on the IZ text  
2 amendments that have been filed. We have had four meetings so  
3 far on those text amendments with interested parties. We have a  
4 fifth one scheduled for Monday, and we have set the hearing dates  
5 for the OP-hosted roundtable on the IZ in the downtown for October  
6 12th at 4:00. And I just wanted to put that out there.

7 I know there's a big audience, and we will be sending  
8 that web link around. And it's Wednesday, October 12th at 4:00.  
9 And again, that's one hosted by OP, not by the Commission. And  
10 then we'll be coming back to the Commission in November with the  
11 results and some recommendations. And then we'll be following  
12 up in December with actual text amendments for set down.

13 CHAIRPERSON HOOD: Okay. Thank you, Ms. Steingasser.  
14 I'm looking forward to it. I'm not sure if we're going to be -- I  
15 don't know if we can attend or not. I get confused with all  
16 that. But well look forward to your update. Hope you all have  
17 a great roundtable, and I'm hoping many people participate and  
18 give input. So thank you for the update. Any other updates, or  
19 that's it for now?

20 MS. STEINGASSER: That's it for this evening.

21 CHAIRPERSON HOOD: Okay. Thank you, Mr. Steingasser.  
22 And again, welcome back to -- I was playing. Everyone as well,  
23 welcome back.

24 Let me say this. Ms. Schellin, we have a roundtable  
25 coming up, right? When is it, the 15th?

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1 MS. SCHELLIN: The 22nd.

2 CHAIRPERSON HOOD: Oh, okay, 22nd. And our roundtable  
3 is doing a racial equity and what we -- I believe it's -- what  
4 is it -- I know it's racial equity is one. Did we --

5 MS. SCHELLIN: The racial equity tool that the  
6 Commission has in place and the racial equity analysis tool, and,  
7 you know, is it working, how it's working so far.

8 CHAIRPERSON HOOD: And how you can help us improve.  
9 Yeah, that's what we want. If it's not to what people think,  
10 how you can help us improve it and make it really work. That's  
11 kind of what we're looking for. And I think I mentioned this  
12 before, the complaints, we get those, we understand the  
13 complaints, but we want to know how we can better what we're  
14 doing. That's it. All right. So any other question? I'm glad  
15 we all kind of agree on the virtual operations.

16 Commissioner May?

17 COMMISSIONER MAY: Ms. Schellin, did you send out an  
18 invitation to us for the roundtable yet, because I don't see it  
19 on my calendar?

20 MS. SCHELLIN: Yes, I did.

21 COMMISSIONER MAY: Okay. I have -- never mind.

22 MS. SCHELLIN: I sent it.

23 COMMISSIONER MAY: Would you mind --

24 MS. SCHELLIN: You didn't get it?

25 COMMISSIONER MAY: Would you mind resending it to me?

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1 MS. SCHELLIN: I will.

2 COMMISSIONER MAY: Thank you.

3 CHAIRPERSON HOOD: Is it on the red like sheet?

4 MS. SCHELLIN: I'm pretty sure it is.

5 CHAIRPERSON HOOD: Oh, okay. We'll look. Okay.

6 MS. SCHELLIN: I'll recheck it. I'll check it to make  
7 sure.

8 CHAIRPERSON HOOD: Okay.

9 MS. SCHELLIN: Commissioner May is usually correct, so,  
10 you know, I probably --

11 CHAIRPERSON HOOD: Don't say that. Don't tell him  
12 that. Please don't tell him that.

13 MS. SCHELLIN: He's, you know --

14 VICE CHAIR MILLER: If it's okay, you just restate for  
15 this public record what the date and time is for the racial equity  
16 roundtable?

17 MS. SCHELLIN: Yes. It's September 22nd at 4 o'clock.

18 VICE CHAIR MILLER: Thank you.

19 CHAIRPERSON HOOD: Okay. And I would like the witness  
20 list in advance. And the reason I wanted to ask, because I know  
21 during my confirmation hearing a lot of people spoke about certain  
22 things, and I want to make sure that some of those people that  
23 we reach out to some of those because I want them to come down.  
24 Not come down, but come on and give us their input. We're  
25 soliciting. We're asking. So anyway.

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1 All right. So let me --

2 MS. SCHELLIN: The list is open. They can sign up  
3 anytime.

4 CHAIRPERSON HOOD: It is -- oh, so, okay. So they can  
5 even come on. They don't have to sign up in advance. They can  
6 even come on that night?

7 MS. SCHELLIN: Well, they should sign up in advance.  
8 It's just like a regular hearing, yes.

9 COMMISSIONER HOOD: Okay. Well, I didn't know -- if  
10 you show up that night, you will be heard, unless we have to go  
11 to a second night. I will -- everybody's going to be heard.

12 All right. So anybody have anything else?

13 COMMISSIONER IMAMURA: We had a full docket tonight.  
14 Thank you, Mr. Chairman, for helping us get through it.

15 CHAIRPERSON HOOD: Yeah, we did. We did. So you all  
16 -- see y'all on -- oh, I forgot, these cobwebs, we've got to get  
17 the cobwebs out. Let me announce our next meeting or our next  
18 hearing.

19 Our next hearing, I believe, Ms. Schellin, is  
20 September the 12th, correct? It's not?

21 MS. SCHELLIN: The 15th. The September 12th was  
22 postponed to October.

23 CHAIRPERSON HOOD: Oh, okay. So September the 15th,  
24 the Zoning Commission will meet on these same platforms for MCRT  
25 Investments, LLC at 4 p.m. on these same platforms. With that,

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1 I want to thank everyone for their participation in this meeting  
2 tonight. And with this -- have a great weekend. And this meeting  
3 is adjourned. Goodnight.

4 (Whereupon, the above-entitled matter went off the  
5 record at 5:26 p.m.)

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In the matter of: Public Meeting

Before: DCZC

Date: 09-08-22

Place: Teleconference

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