

GOVERNMENT OF THE DISTRICT OF COLUMBIA

ZONING COMMISSION

VIRTUAL PUBLIC HEARING

VIA WEBEX

MONDAY, FEBRUARY 12, 2024

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

ZONING COMMISSION MEMBERS PRESENT:

ANTHONY J. HOOD, Chairperson
ROBERT MILLER, Vice Chairperson
JOSEPH S. IMAMURA, Commissioner
TAMMY STIDHAM, Commissioner

OFFICE OF ZONING STAFF PRESENT:

SHARON SCHELLIN, Secretary
PAUL YOUNG, Data Specialist

OFFICE OF ZONING LEGAL DIVISION STAFF PRESENT:

JACOB RITTING, Esquire

The transcript constitutes the minutes from the Public Hearing held on February 12, 2024.

Diversified Reporting Services, Inc.

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C O N T E N T S

Case No. 23-02

Map Amendment Submitted by Office of Planning
to rezone from the MU-4 zone to the MU-10 zone
the contiguous properties at 1617 U Street, N.W.
(Square 175, Lot 826) and at 1620 V Street, N.W.
(Square 175, Lot 827), and to apply IZ Plus

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P R O C E E D I N G S

(4:00 p.m.)

CHAIRPERSON HOOD: All right. First of all let me say good afternoon, ladies, and gentlemen. Today's date is February the 12th, 2024, and we are convening and broadcasting this public hearing by video conferencing.

I will institute the other -- the rest of the opening statement from my previous hearings -- from my first hearing into this one.

Again, we are reconvening Zoning Commission case number 23-02, this is the Office of Planning map amendment from MU-4 to MU-10. It's Square 175, Lots 826 and 827 in Ward 1.

Again, today's date is February the 12th, 2024. Joining me are Vice Chair Miller, Commissioner Stidham, and Commissioner Imamura. Also joined by the Office of Zoning staff, Ms. Sharon Schellin and Mr. Paul Young who will be handling all of our virtual operations, and our Office of Zoning Legal Division Mr. Jake Ritting.

I will ask all others to introduce themselves at the appropriate time.

Ms. Schellin, do we have any preliminary matters?

MS. SCHELLIN: Just briefly. There was a motion from the parties in opposition, as you know, asking for a change in the order of the hearing, however, they withdrew

1 that motion so that the public can go first, as originally
2 scheduled.

3 And so that was taken care of. But there was a --
4 there was a motion filed by a non-party, so they don't have
5 standing in this case, at Exhibit 16, asking for a
6 postponement due to the lack of outreach.

7 So I don't know what the Commission wants to do
8 about that. Maybe Mr. Ritting could weigh in on that. I
9 know in the past, when a motion was made by a non-party, the
10 Commission has just dismissed it for lack of standing since
11 they're not a party, but Mr. Ritting, maybe you can weigh in
12 on that?

13 MR. RITTING: No, I don't have anything to add.
14 Although, I mean, you could also present another alternative
15 to the commissioners that since the substance of the motion
16 was to request a complete postponement of the case, you
17 might want to just dismiss it because you don't agree with
18 the substance, as another alternative to lack of standing.

19 CHAIRPERSON HOOD: Okay. Thank you both.

20 MS. SCHELLIN: Thank you, Jake.

21 CHAIRPERSON HOOD: Thank you both.

22 So Ms. Schellin, this issue about the first
23 motion, which was -- you have I have been going back and
24 forth with all day about the order of the hearing.

25 So I really and I mean, it's all right to file

1 motions. I can't stop that, but let's make motions that --
2 let's make motions that make sense.

3 Ms. Schellin and I have been going back and forth
4 trying to recreate something and I have made announcements
5 before on this proceeding twice. Nobody said anything
6 until, I guess, Friday, and I found -- and I was made aware
7 of it this morning.

8 So that's dealt with. So the motion for, and I'm
9 talking to my colleagues, the motion, which is Exhibit 619,
10 from the Freedom Baptist Church about postponement and
11 reject.

12 I think our counsel is -- I'm ready to deny the
13 motion, but I think what we need to do is dismiss the
14 motion, just to correct.

15 Let me hear from others. Any objections?

16 Okay. All right. So do I need to make a motion
17 or do we do it by -- we can just do it by general consensus.

18 MS. SCHELLIN: I believe we can do it by general
19 consensus for a lack of standing, is that correct?

20 CHAIRPERSON HOOD: Yeah. Lack of standing. This
21 is our fifth --

22 MS. SCHELLIN: And you don't agree with it. Yes.

23 CHAIRPERSON HOOD: Yeah. We don't agree with it.
24 So yeah. I think it's pretty much out of order at this
25 point.

1 All right. Anything else?

2 MS. SCHELLIN: No, sir. That's it.

3 CHAIRPERSON HOOD: Okay. Let's bring up, now, I
4 believe we've been going back and forth so much, I think --

5 MS. SCHELLIN: Other than just to announce, I'm
6 sorry, I think doing this early would be good. That it was
7 decided that tonight we would only hear from the public
8 witnesses and that the parties in opposition would start
9 their presentations on Monday, February 26th, starting at 4
10 o'clock p.m. and I've asked them to please email me the
11 amount of time they are planning to take, the order they
12 plan on going in, and also, the exhibit number of numbers of
13 their statements that provide their arguments for the case.

14 So I've already sent an email to them asking them
15 to provide me with an email with that information. So just
16 for the witnesses also, so that they know that will happen
17 on February 26th.

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

19 And again, I will just state it as well, tonight
20 we are only going to hear from the public. Those, I believe
21 only those in opposition. We've heard from memory, the
22 opposition. Did we get from undeclared yet?

23 MS. SCHELLIN: No, they come after the opposition.

24 CHAIRPERSON HOOD: Okay. So we're going to try to
25 get all that in tonight and whatever we -- whatever time it

1 is, I'm going to stop at 9, wherever we are. Because I
2 think the Commission is five hours, I think, we're human
3 too.

4 Our capacity, we only can have so much capacity,
5 like all humans do. So at 9 o'clock we're going to stop
6 where we are. Hopefully we can finish the -- those who are
7 in, you know, opposition or undeclared.

8 Then, wherever it is, on the 26th at 4 p.m. we
9 will start with those who are -- parties in opposition, in
10 that order.

11 All right. Anything else, anybody? Anybody have
12 any issues with that? Everybody's going to be able to make
13 it on the 26th?

14 Okay. All right. So Ms. Schellin, if we can go
15 ahead and get started with our list?

16 MS. SCHELLIN: Yes, sir. I will start calling the
17 witnesses.

18 Okay. We have Meg Staines, Courtney Stockland,
19 Evan Carraway, Alan Kensek -- Chairman Hood, do you want to
20 call six or four?

21 CHAIRPERSON HOOD: Let's do five. Can we get
22 five?

23 MS. SCHELLIN: Five? Okay. The fifth one will be
24 Nicholas Delladonne or Delledonne.

25 Mr. Young, you can let me know because I'm looking

1 at a different screen, if you have five yet?

2 MR. YOUNG: Yeah, I got all of them.

3 MS. SCHELLIN: Okay. Great. Thank you.

4 CHAIRPERSON HOOD: Okay. And I may not call in
5 the exact order that Ms. Schellin, but I'm going to call the
6 order I see on my screen.

7 And we're going to go with Commissioner Kensek.
8 Hopefully I pronounced your name correctly, if not, you can
9 correct me.

10 MR. KENSEK: Yes, sir. I appreciate it, Chair
11 Hood.

12 First off, I want to thank because I've really
13 even two years as a commissioner never gone through this
14 detailed of a process.

15 Ms. Ackerman, Ms. Schellin have been absolutely
16 amazing. And you, Chair Hood, and the rest of the
17 Commission, I would like to thank you guys for your
18 patience, being the last three meetings and the amount of
19 time that you guys listened to both sides, and I think it's
20 very fair and I appreciate it. I've learned a lot from you
21 guys.

22 So thank you for that. So let me get into my
23 statement.

24 Good evening, Chair Hood, and the Zoning
25 Commissioners. My name is Alan Kensek, and I am the

1 commissioner for single-member district 1B-05. My SMD
2 starts directly across the street from 1625 V Street,
3 Northwest and is the proposed rezoning site.

4 Last week or two weeks ago, our Chair of 1B stated
5 that I, one of the nay's, was not close to the site. You
6 could throw a rock from my house and it will hit the site
7 and it's about a less than a minute walk to the site.

8 When we -- this came up for a vote back in 1B on
9 April of 2023. I voted nay and stated that there wasn't
10 adequate information given to the public. There was a lack
11 of engagement and people felt like no one was listening to
12 their concerns.

13 A lot of notifications about the possible MU-10
14 height increase were done through email or online, not
15 direct engagement, which left out a lot of people.

16 The parcel of land could be split zoned, so both
17 Seaton Street and V Street do not have a 10-story, 12-story
18 with the penthouses, building in front of the people's row
19 houses in the area which are 40 feet in height and have been
20 there for over 100 years.

21 I was originally told we couldn't split zone the
22 property by the chair of 1B. That was part of the reason
23 why it concerned me as we were getting closer to the vote
24 and now, I found out we can do custom zoning, and we can do
25 split zoning. It doesn't have to be under two acres, like

1 Chair of 1B stated. It was incorrect.

2 So I originally was told it couldn't be split
3 zoned, but after doing more research found out we can do it.
4 The land is DC owned and I don't believe we should give away
5 the valuable public asset for a profit developer for 99
6 years.

7 I have lived in single-member district 1B-05 for
8 over seven and a half years, living at the Camden Roosevelt
9 located at 2101 16th Street Northwest for six years and know
10 the area well.

11 A structure that can potentially go to the
12 suggested MU-10 height wouldn't fit the character of the
13 neighborhood.

14 I am sure you're aware of 1898, it was proposed to
15 have a colossal presidential mansion in Malcolm X Park to
16 replace the White House. There was even a proposal to have
17 the Lincoln Memorial built there.

18 There was obvious reason why this was proposed
19 because of the reasonable height of the buildings in the
20 immediate area, including the site we are discussing today.

21 I am advocating for 50 percent deeply affordable
22 housings for people making less than 35k. The same people
23 who work at our local restaurants, retail stores, teachers,
24 firefighters, police, and other public servants.

25 Sometimes we forget that affordable housing is

1 based off area median income, which is D.C., Virginia, and
2 Maryland.

3 I am also in favor of a new police station and
4 fire station, both of which are over 60 years old. I know
5 the police station had a little bit of face lift 25 years
6 ago, but still in need of repair severely.

7 I just don't think we need to go to the extreme of
8 an MU-10. We looked at the split zoning, which I brought up
9 earlier. It's an important aspect. Maybe doing an MU-8 on
10 U Street to match what's existing and matches the other side
11 of the surrounding buildings in the area.

12 Having no more than MU-8 on both Seaton -- I'm
13 sorry, MU-6 on both Seaton and also V Street would be like
14 the max that I think would be doable.

15 I know that ANCs are typically given great weight
16 and, in these hearings, but in fact, I want you to know that
17 in the vote taken by the ANC in 1B in support of the
18 proposal of the before, before everything was understood,
19 discussed, like the split zoning social housing. And the
20 slate of ANC 1B commissioners that took the vote on that
21 night of April, including myself, there was nine of us.

22 Seven which said yay's, two nay's. Out of those
23 seven yay's one moved a month later to San Francisco and was
24 only a commissioner for about two months, not disregarding
25 his position, as I got him into the Commission.

1 MS. SCHELLIN: Time.

2 MR. KENSEK: Thank you. Sorry. I'm almost done.

3 The other person is actually retiring at the end
4 of this month. Has decided to step down as IB-02. So now
5 we're looking at a 7-2, 5-2 vote and out of those five, one
6 of the commissioners, who's in the immediate area of IB-07,
7 her name is Commissioner Ashley Fields, asked for Impact
8 Studies and Surveys and how possible taxes would increase.

9 So I'm ending on this note. I just want to let
10 you know, the nights before the actual vote came in April, I
11 was a yes. I was, let's go about it. I went to every
12 aspect of V Street, knocked on every door, and I'm not using
13 this as a trump card or black/white card, 95 percent are
14 block homeowners on the street and that's fact. It's not
15 questioned. I've spoken to them.

16 And out of those 95 percent, each one has told me
17 that their homes have been in their histories for 75 to 100
18 plus years. So I just think we really need to keep that
19 inside, because we know, as this site potentially goes to an
20 MU-10, we know the taxes are going to be raised and we know
21 that people are going to be displaced just because of this.

22 So I just urge you guys, kindly, to please take
23 heed to this testimony and the last thing, Chair Hood, I'd
24 like to say is I did this testimony and I've made a couple
25 of updates.

1 If it's all right, I'd like to send the final
2 update to the record to Ms. Schellin, if that's okay with
3 your permission? Thank you.

4 CHAIRPERSON HOOD: Sure. Thank you. That's no
5 problem. Stick around, we may have some questions.

6 MR. KENSEK: Yes, sir.

7 CHAIRPERSON HOOD: We'll go with Ms. Stockland.

8 MS. STOCKLAND: Thank you so much. I appreciate
9 your time today and over the course of these, you know,
10 having these five meetings.

11 I live on Seaton Street. I've lived there with my
12 family since 2012 and in the area since 2005 and just really
13 appreciate the stance of this Committee. This is the first
14 time that I feel like the neighbors have really started to
15 feel a little bit more heard.

16 We've been at this for, these four or five
17 meetings plus a year after we found out what was being
18 planned for our little neighborhood, and I think it's an
19 absurd upzoning.

20 The drastic change from MU-4 to MU-10 that would
21 allow a building that would be taller than some of these
22 streets are long just seems out of the realm of any common
23 sense, especially with no studies that prove that it's going
24 to displace a bunch of folks and provide housing to the
25 folks that we're looking to provide housing to in the city.

1 We have, of course, already surpassed our housing
2 goals in our area as well.

3 You know, just to say that this seems to have been
4 set up from Commissioner Nadeau back as folks were barely
5 emerging from COVID with a very fast process to change the
6 plan and FLUM.

7 And about a year after that or two years after
8 that was when we started to hear more about this kind of
9 proposed spot zoning change. A little bit of a
10 gerrymandering, if you look at the map.

11 Since then we've been trying to engage with our
12 ANC and other folks who seem, quite frankly, annoyed that we
13 found out about this effort. And we've been met with both,
14 rather again, annoyance and some misinformation,
15 importantly, about the spot zoning.

16 The Chair of our ANC said that split zoning is not
17 a thing. We found out much later that it is, quote, a
18 thing, which I think would be a lot more of a, you know,
19 would be a more creative solution to this space.

20 And I think that's my biggest issue is to turn a
21 large parcel of public land that currently houses a vital
22 public service of our police force and the fire department
23 into, you know, this isn't the realm of the Zoning
24 Committee, but of course we have heard the plan is to turn
25 it over to a private developer to develop a high-rise rental

1 apartment building.

2 It just seems like we would be, essentially,
3 giving away our public resource and for what? You know, we
4 don't know the effectiveness of those rental apartments yet,
5 in terms of improving our community.

6 I've started to talk to more of the police
7 officers at the station at the end of our block, as well as
8 Henry's which is a soul food café. They specialize in sweet
9 potato pie across the street. They've been there for
10 generations.

11 Hana is a Japanese market, also right across the
12 street. They provide Japanese cuisine, which is where I am.
13 I'm calling you from Tokyo today by the way, because I feel
14 so strongly about this. I'm visiting some family stationed
15 over here.

16 So it's already tomorrow here and so I'm calling
17 from the future a little bit and I just think this is a
18 really unwise use of our public land, especially in the
19 middle of this crime spree that we're currently
20 experiencing.

21 I'll submit a more formal testimony. I thought I
22 would just speak from my current thoughts and just thank you
23 so much for your work and I appreciate you hearing us.

24 CHAIRPERSON HOOD: Great. Thank you, Ms.
25 Stockland. I know you are not here, but if you could hold

1 tight for a minute, if you're able, we may have some
2 questions.

3 MS. STOCKLAND: Of course. Thank you so much.

4 CHAIRPERSON HOOD: Thank you.

5 Let's got to Meg Staines, Staines, I believe?
6 Hopefully I pronounced that right.

7 You may begin.

8 Ms. Staines, did I lose you?

9 Unmute. I can't -- there you go.

10 MS. STAINES: Thank you, Commissioner Hood, and
11 other commissioners for hearing my testimony.

12 My name is Meg Staines and I've lived in the
13 neighborhood for 28 years. I live a few blocks away from
14 ANC-1C-05 and I am testifying in opposition to the map
15 amendment from MU-10 -- I mean, MU-4 to MU-10.

16 I am not at all anti-development. I can clearly
17 see that we need a lot more affordable housing in the city
18 and I wish that we could all participate in it. I am deeply
19 in favor of maximizing affordable housing at this parcel and
20 throughout the city.

21 D.C. has not come close to providing the
22 affordable housing promise by the included area zoning that
23 was passed a few years ago.

24 I am deeply opposed to the practice of giving
25 public land to private developers, which is what the plan is

1 for this site. I feel like they're probably trying to
2 upzone it because now -- 20 years ago people were okay with
3 making millions and millions of dollars on these projects,
4 but now, everybody who takes on these projects expects to
5 make billions and billions of dollars and then they take the
6 money and they go to Potomac or Chantilly. They don't
7 invest it in the city. They're just going to drain our city
8 of resources on the backs of the people who live there.

9 And that's the main thing I want to talk about in
10 my testimony. This is just an end run around the community.
11 To pull wool over our eyes. That's why the cross examine
12 took so long because the documents presented by the parties
13 promoting this were full of holes.

14 The parties said several times during the cross
15 examination that details like traffic management and noise
16 management, parking, quality of life issues will be resolved
17 during the permitting.

18 And I am here to tell you, unequivocally, that is
19 not true. I have lived -- like five years ago I lived
20 through the construction of a six-story building and it was
21 a before Mayor Bowser, so things were a little tamer then.

22 And you know it's, of course, construction is
23 going to be rough, but I could call parking enforcement and
24 they would usually come. But now, for the past nine years,
25 I've had a row house adjoined to another row house that was

1 bought by a developer. It has sat vacant for nine years. I
2 don't see how that's providing anybody with affordable
3 housing, okay?

4 And you -- the people who hand out the D.C.
5 Building permits knows these bozos. They're pathological
6 liars. Every other thing that comes out of their mouth is a
7 lie. They'll -- I mean, they lie so frequently they can't
8 even keep track of their lies.

9 And you guys know these people. They come in to
10 you under other LLC's every time, but it's the same bozo,
11 Adolfo Requeno, if you're wondering who I'm talking about,
12 and Alberto Silviero. You know these characters.

13 They might -- made my life a living hell for nine
14 years. I've had homeless people living in the yard, in the
15 house next door to me for nine years. You've sold the place
16 under -- it got sold under tax sale twice, but they can claw
17 it back on the last day if they get their investors to put
18 more money in.

19 And they throw used condoms over the fence and
20 drug paraphernalia and used tampons. There's people passed
21 out over there every single evening at sunset. They come in
22 and sleep in the backyard.

23 You will not be able to get -- the people who live
24 near this project are not going to be able to survive this.
25 They don't even pick up my trash, because I also have

1 another construction site directly across the back of my
2 house. There's another six-story building and DDOT does not
3 enforce public occupancy permits at all.

4 Those people think that once they get that piece
5 of paper or the public occupancy permit, they -- that's all
6 they have to do. It's carte blanche to do whatever they
7 want to the neighbors.

8 And you know what? That's not what it is, but
9 they're right because there is a zero percent change of DDOT
10 ever --

11 CHAIRPERSON HOOD: Ms. Staines, you're --

12 MS. STAINES: -- enforcing anything. So this city
13 --

14 CHAIRPERSON HOOD: -- time is -- your time is up.
15 Ms. Staines --

16 MS. STAINES: -- has a lot of laws to protect its
17 citizens and --

18 CHAIRPERSON HOOD: Ms. Staines, can you hear me?
19 Can you hear me? Can you hear me?

20 MS. STAINES: Yes.

21 CHAIRPERSON HOOD: Slow down. Your time is up.

22 MS. STAINES: Okay.

23 CHAIRPERSON HOOD: Let me help you. I want you to
24 give me a closing thought. This is the Zoning Commission.
25 You can call 311 for those other issues because this is the

1 Zoning Commission. We're dealing with a zoning.

2 MS. STAINES: 311 doesn't work.

3 CHAIRPERSON HOOD: I don't pick up trash.

4 MS. STAINES: Believe me. Believe me.

5 CHAIRPERSON HOOD: I don't -- I don't do -- I'm
6 not a -- I don't work for the Mayor's office.

7 MS. STAINES: I'm just showing everybody this is
8 what we have to look forward to.

9 CHAIRPERSON HOOD: This isn't -- this is why
10 you're losing your time. You're losing your time, right
11 here. We're all at because we're talking about zoning
12 tonight.

13 MS. STAINES: This is what -- the people who live
14 next to 1617 U Street --

15 CHAIRPERSON HOOD: Ms. Schellin?

16 MS. STAINES: -- have to look forward to. Their
17 life will be (crosstalk) --

18 CHAIRPERSON HOOD: Ms. Staines, I'm asking you,
19 give me your closing thought about zoning. Help us. What
20 about the MU-4 versus the MU-10?

21 MS. STAINES: The people living next to 1617 U
22 Street, their lives are going to become a living hell and if
23 they're not -- if they're smart, they'll just sell their
24 house the minute it goes through because you can't survive
25 these construction projects. You can't.

1 Like it's impossible. You can't even get your
2 trash picked up. It's not true that they'll -- Department
3 of Buildings they -- they don't -- they have never come to
4 any of the construction sites around my house.

5 These -- the residents around here deserve to have
6 somebody that they can call to resolve problems with this
7 permit, whatever it ends up being.

8 CHAIRPERSON HOOD: Okay. Okay. Thank you. Thank
9 you, Ms. Staines. Thank you.

10 Hold on -- we may have some questions for you, but
11 I don't have any 311 questions. I deal with 311 myself.

12 I live in the city too. I don't live somewhere
13 else. I know what's going, as far as that goes, but we're
14 talking about zoning tonight.

15 The next person is Mr. Delledonne.

16 MR. DELLEDONNE: Thank you.

17 My name is Nick Delledonne and I am the president
18 of Dupont East Civic Action Association. Our borderline of
19 our association includes the police and the fire station on
20 the north side of U Street at 17.

21 I know the issue was raised; did OP consult with
22 civic associations in the neighborhood. They did not
23 consult with us.

24 We are opposed to surplusing public land and
25 turning the land over to developers. There -- motivation is

1 to create a profit and they are biased in creating units
2 that are market rate. And I don't blame, but there are
3 other alternatives.

4 The 10 to 13-story building here is out of
5 character with the neighborhood and the city ought to study
6 it carefully and undertake a study, even if it takes time,
7 to show that it would be inappropriate. So we are against
8 the upzoning of the property.

9 There is an axiom that occurred in the testimony
10 that we need housing and the more housing there is the more
11 affordable housing there is.

12 If that were true, all the housing in Manhattan
13 would be affordable. I think it's a misnomer. If you have
14 widgets and you have 1,000 widgets, they may be governed by
15 -- the price of the widgets may be governed by the number of
16 widgets that are available, but that isn't true in real
17 estate and housing. It turns out not to be true.

18 So we have to be weary of that. We are for
19 affordable housing. Our association was responsible for
20 inserting, into the Comp Plan, the phrase "social housing"
21 and that was picked up, we were gratified, in the proposed
22 law, the Green New Deal for housing, which suggests that
23 there may be a pilot project for social housing.

24 This would be a great site for something like that
25 and we'd like to see that sort of thing get a chance to be

1 realized.

2 Those are my comments. I'm glad I had this
3 opportunity. Thank you.

4 CHAIRPERSON HOOD: Thank you, Mr. Delledonne, and
5 again, if you could stick around for a moment, we may have
6 some questions for you as well.

7 I think I saw Evan; last name was -- first name --
8 last name Evan? Okay, Mr. Evan, you can go right ahead.

9 MR. CARRAWAY: Thank you. My name is Evan
10 Carraway. I live one block from the 1617 U and 1640 V
11 Streets and at the block of the 1700 Seaton Street
12 Northwest, which my wife and I bought as a home in 2014 with
13 a VA loan.

14 I opposed upzoning this public land and the
15 removal and relocation of police and fire station, even
16 temporarily. Public safety is a major, major concern right
17 now.

18 Just in the last year I witnessed two carjackings
19 in person, violent carjackings in which members of the
20 community here were injured and an increase in criminal
21 activities around the new CVS a block away from the police
22 station.

23 And with one of those instances I attempted to
24 call 9-1-1 and was, you know, met with a hold time that
25 essentially made that pointless.

1 So there's a police officer on foot, on the scene,
2 you know, within minutes of that happening, which wouldn't
3 be the case, I don't think, if we were in a situation where
4 there was no police station within five miles, basically, of
5 where we all live.

6 So I'm definitely opposed to, at least at this
7 time, removing a critical police station and not having that
8 for the neighborhood and the surrounding city.

9 I ask that you deny any manner of upzoning
10 application. So police, EMS, and firefighting services can
11 remain in place to handle the increased crime in the area.
12 Thank you for your consideration.

13 MS. SCHELLIN: Okay. Thank you.

14 I believe I have gotten everyone. Let's see if we
15 have any questions or comments from my colleagues.

16 Commissioner Imamura, any questions, or comments
17 on this -- of this panel?

18 COMMISSIONER IMAMURA: Thank you, Mr. Chairman.
19 No questions, but I do have a comment.

20 I want to thank all of you who prepared your
21 testimony and gave it succinctly to us. That's very helpful
22 and I appreciate your point of view and want to thank you
23 for participating in the public process.

24 And for those that follow, at least for me, I
25 won't speak for the rest of my colleagues, but prepared

1 testimony in a succinct manner and on topic is helpful.

2 There are -- and focused too. Topics that are
3 outside of the Zoning Commission are not helpful. So I just
4 encourage everybody to keep your comments germane. Thank
5 you all again, and please be safe.

6 CHAIRPERSON HOOD: Thank you, Commissioner
7 Imamura.

8 Let's go to Commissioner Stidham. Any questions
9 or comments of this panel?

10 COMMISSIONER STIDHAM: I do have a comment
11 seconding Commissioner Imamura in keeping to the testimony.
12 I appreciate it and everybody's time, who came out, it's
13 very thoughtful of you and thank you very much. We like
14 hearing from you.

15 CHAIRPERSON HOOD: Thank you.

16 And Vice Chair, any comments of this panel?

17 VICE CHAIR MILLER: Thank you, Mr. Chairman, and
18 thank each of you for your testimony and I know that a
19 couple -- at least a couple of you, Commissioner Kensek and
20 at least Mr. Delledonne, I recall seeing written testimony
21 from you.

22 There may be written testimony from others, but if
23 you haven't submitted it, as others have suggested, if you
24 could submit written testimony that would be helpful to us
25 down the road.

1 Commissioner Kensek, you talked about the -- your
2 support of a split zoning and I think you said -- I think
3 your testimony says no more than -- no more than MU-8 along
4 U Street, because that would be more complementary with the
5 other taller buildings in the area.

6 And then you said no more than -- I think you said
7 no more than MU-5 or MU-6 on V Street and Seaton Street,
8 because of the height -- they're across the street from the
9 two-story townhomes.

10 But what -- I'm not sure MU-6 is the right --
11 well, what is -- let's forget the MU-6. What is the height
12 that you think it should -- what's the maximum height you
13 think it should be on the V Street and Seaton Street side?

14 I think the MU-8 goes up to 70 or 75 feet as I
15 recall. I'm just doing it off the top of my head. I'm not
16 looking at anything. I think the MU-6, that you mentioned,
17 might actually have a height of the same. It might be 90
18 feet, but I don't know.

19 And I know you're not -- you're not suggesting
20 that on V Street or Seaton. What was the height -- so if
21 you could just give me the maximum height that you would
22 find acceptable on V Street?

23 Mr. KENSEK: Thank you for the question, Vice
24 Chair Miller.

25 I actually noticed that, when I was reading my

1 testimony, I did put 6, and realistically, I think it should
2 be no more than 5. I will update that.

3 When I walked around real quickly to the
4 neighbors, I met a gentleman who has been in the area for a
5 year and he explained to me, like, he's in a wheelchair.
6 His daily light, that's what he gets.

7 So he rolls up to his door, he looks outside and
8 he can see light. So when I started hearing stories like
9 that, that's what really compelled me to switch my vote,
10 literally the night of the vote from yes to no.

11 So when we start going past MU-4, MU-5, that's
12 really going to start -- even with a 40-set cut -- a 40 feet
13 cutback, I work in property management for Howard
14 University. I've been in this field of construction for
15 over 26 years.

16 You know, I just think that these two-story row
17 houses, they're really going to take the blunt of this.
18 Even with a 40 feet setback, it's still going to show on how
19 the sun raises. They're not going to see light until close
20 to 11 to 2, and that's if we do the eight stories only on
21 the U Street side.

22 But going to an MU-10, up to 120 all around and
23 then setting back 40 feet is really not going to make a
24 significant difference at all, in terms of the lighting.

25 It sounds good in theory, 40 feet back, but when

1 you're actually looking at the site, which I do
2 occasionally, like I said, it's down the street.

3 You walk to the middle of V Street; you start my
4 single-member district. You know, you can clearly see, in
5 looking at the row houses, even how the sun is raised, if we
6 were to do an MU-10, they wouldn't get the sun till probably
7 four in the afternoon as it's going over their head.

8 So MU-4, MU-5 is what it should remain on V/Seaton
9 Street, and I'm saying 8, because 8 will match all other
10 buildings in the area, including the building I live in,
11 Camden Roosevelt. Including the Belmont, which someone used
12 last week in their testimony. All that strip between 1617
13 there is no other building that is higher than an MU-8.

14 You know, across the street or on the same side.
15 If that answers your question, sir.

16 VICE CHAIR MILLER: Okay. Thank you very much. I
17 appreciate it.

18 I don't have any other questions, Mr. Chairman.
19 Thank you for your testimony.

20 CHAIRPERSON HOOD: Thank you. Commissioner
21 Kensek, let me go straight to you.

22 So, and again, in front of us tonight is a map
23 amendment. So do you think, and I'm going to go this far,
24 do you think that going to MU-10, there's not a design
25 solution that would at least curtail some of those impacts

1 that you just mentioned?

2 Do you think there's an opportunity that could be
3 a design solution, even though that's not in front of me
4 tonight, it's about a map amendment, but do you think there
5 could be a design solution that could curtail some of that?
6 But it's further down the road?

7 MR. KENSEK: Chairman Hood, absolutely yes. There
8 could be an MU-10 on the U Street side and with some
9 adjustments.

10 I'm just saying, when I look at this, the whole
11 lot itself and I see that it's about 1.88 to 1.91 worth of
12 acres, you know, we don't know what's going to happen three
13 years from now.

14 Who knows who's going to be here on this Board or
15 what we're going to be dealing with, who our Mayor could be.
16 As we know when these developers come in, they promise the
17 world.

18 They're going to promise -- just like they did --
19 they did this to me at Reeves Center on 14th and U and it
20 was already -- I was too late in the game to actually get my
21 voice across, but we're going to have that going on
22 simultaneously with one street later, another 1617.

23 So to answer your question, yes, there could be.
24 We could do things, but it would have to stay on the U
25 Street side. Anything on Seaton or V, MU-10, even if it was

1 down to MU-6, it's not going to fit the neighborhood and it
2 will absolutely impact the immediate residents along the
3 side of Seaton and also V Street 100 percent.

4 CHAIRPERSON HOOD: And Commissioner, didn't you
5 mention that you had to update your testimony, your written
6 testimony?

7 MR. KENSEK: Yes, sir. That was one of the items
8 because I had noticed here, I said 6 and I really meant to
9 say no more than 4 to 5.

10 So I do have to write that and then also confirm
11 the two items that the ANC chair of 1B stated. One of which
12 she said that no one else was local. The two nays were not
13 local, which was not factual.

14 And the other one was that I was told by her, and
15 it's on video as well and the neighbors have seen it, that
16 there was no such thing as split zoning and me taking her,
17 you know, her three years over my two years as commissioner,
18 I said okay.

19 Well, if there's no split zoning, that can throw a
20 little wrench in it. But when we started doing some more
21 research and I'm finding out that not only is there split
22 zoning, but there's custom zoning.

23 And as I'm digging deeper and deeper, I go back to
24 some of those videos that I watched that I'm even on and
25 like you, I say on them, it has to make sense to me and I

1 need to have more guarantees, not we think of this, we think
2 of that. And the whole reason, again, my whole doing the
3 split zoning kind of didn't even be brought up during my nay
4 vote was because I was told by the Chair of 1B that it's not
5 a thing and that was incorrect, it was actually very
6 infactual.

7 CHAIRPERSON HOOD: Okay. So I appreciate that.
8 Have you -- and I agree, things do change. People change.
9 This Commission is going to change. The ANC changes. That
10 happens all the time because I've seen where other
11 commissions have engaged and went down a road that is not
12 realized until newer commissioners or newer residents come
13 in and then the newer residents say, well, how did this
14 happen?

15 Some of these things and some of these plans have
16 happened years before some of us even got around here. So I
17 just -- I mean, even the -- in my case, so I appreciate
18 that.

19 So have you all been talking about this, not this
20 particular project, but this parcel of land? Have you --
21 how long -- you've been on the Commission two years, so I
22 don't know if -- is this the only project, that you've
23 talked about, that's been proposed for this land or do you
24 have others that you have worked on that never were
25 realized?

1 MR. KENSEK: Thanks for the question again, Mr.
2 Hood. I worked a little bit with the Reeves Center near the
3 end. I had come in during a special election, so there was
4 already things that were guaranteed at the Reeves Center,
5 which then completely changed from first it was just going
6 to be like, you know, it was all about affordable housing.
7 That was the big push.

8 Then it went to be also senior housing, which was
9 a big push. Then it went to being luxury rooms and now a
10 luxury hotel. A lot of things have switched. I even asked
11 them to think of their -- how they're allocating the land
12 with V Street being so small and I run the entire V Street,
13 you know, when I'm coming from Howard and I leave 9th Street
14 and I'm driving up V.

15 Right now there's already a set of delays. One of
16 the biggest one is, you know, not only the Reeves area, but
17 also afterschool there's a childcare right after the Reeves
18 Center. So parents tend to park three cars out.

19 So I'm not just thinking about the site 1617. I'm
20 trying to think of the actual area that I manage and what
21 could happen with the construction.

22 So in fact, for 1617, this had come up this year
23 and we started discussing it. I will give the Chair of
24 Economic Development Vice Chair HanderHan, he did hold a
25 couple of events near the end that were very beneficial. We

1 got a lot more pros and cons on the line to get the word
2 out.

3 But again, as I stated earlier, when I knocked on
4 a lot of these individual doors, and I literally, literally
5 knocked. I mean, it took me four hours to go through,
6 people were either shocked, not understanding, had
7 questions, you know, why are they doing this? What -- and I
8 did my best at explaining at the time.

9 Some of them said, well, why can't they look at
10 possibly only doing it one side high and I said, well,
11 that's ruled out. I was told by our chair we can't do a
12 split zoning, but we're going to see what we can do and what
13 we can work with.

14 But yes, this has been in my purview since I
15 started as a commissioner. This lot of land, 1617 U/1620 V
16 Street.

17 CHAIRPERSON HOOD: Okay. Thank you. And I don't
18 want to keep prolonging it, but Mr. DelleDonne, I do want to
19 ask you and I think I captured pretty much -- first of all,
20 Mr. DelleDonne, what was the name of your organization
21 again? Right off?

22 MR. DELLEDONNE: Dupont East Civic Action
23 Association.

24 CHAIRPERSON HOOD: Okay. Okay.

25 So Mr. DelleDonne, let's talk about something you

1 said. I think you were going more to economics and I'm
2 asking a question. I'm no expert on economics, but I've
3 watched how -- I've had one class, so I'm not an expert.

4 But your testimony was talking about basically
5 supply and demand, and this is something I've been grappling
6 with. It seems that the experts and the people with the
7 PhD's, I don't have a PhD., but it seems like the economists
8 with the PhD's and all the educational background, they say
9 the more that you have -- the more you have the less demand
10 it is and the price goes down; would you agree with that?

11 MR. DELLEDONNE: It depends on what you're talking
12 about. Real estate doesn't work that way. It's true if you
13 have widgets.

14 CHAIRPERSON HOOD: Okay.

15 MR. DELLEDONNE: And they're in demand and you
16 have 1,000, the price will be set. And if you have fewer,
17 the price will go up. But that doesn't happen.

18 And like I said, a sterling example of this is
19 Manhattan. You can't find affordable housing in Manhattan
20 and they continue to build. Building more is not the answer
21 to getting affordable housing.

22 I request an opportunity to provide, if I can find
23 it, I believe that the DMPED website shows they have a
24 website that shows that there is plenty of affordable
25 housing in this area, and that the demand for, I mean, the

1 push for additional affordable housing because it is so dire
2 needed is baseless.

3 That should not be the reason for the development
4 of this block. If I find that, I will provide it for the
5 record.

6 CHAIRPERSON HOOD: Okay. I'll be looking for it
7 if you're able to find it.

8 All right. Ms. Stockland, Ms. Staines. Ms.
9 Stockland, thank you for being in here tomorrow and taking
10 time out of your busy schedule where you are to come and Ms.
11 Staines, we appreciate you and Mr. Evans, we appreciate you
12 as well.

13 I don't have any further questions, unless my
14 colleagues have additional questions?

15 I'm not seeing any.

16 Ms. Schellin, let's make sure that we can get our
17 parties -- do we have any parties in support? I get
18 confused. Do we have any parties --

19 MS. SCHELLIN: Yes, sir.

20 CHAIRPERSON HOOD: Okay. So parties in opposition
21 get a chance to cross examine each of you, if they have
22 questions. If they don't, we'll keep moving.

23 Mr. Kirschenbaum, Office of Planning?

24 Mr. KIRSCHENBAUM: We do not have any questions.

25 Thank you.

1 CHAIRPERSON HOOD: Thank you.

2 Chair Harris from ANC 1B have any questions for
3 this panel?

4 MS. HARRIS: Commissioner Alan Kensek, in your
5 testimony you stated that ANC 1B took a vote before all
6 options were discussed. At any ANC 1B meeting since that
7 vote, have you made any motions to reopen the topic?

8 MR. KENSEK: That's a great question. As you
9 know, Chair, we're very in favorable on the Board, there is
10 is a set group that drink the Kool-Aid, about five of you,
11 so why would I bring up a vote if I only get a second and
12 get no other votes on it? Would that make logical sense to
13 you, Chair?

14 MS. HARRIS: I don't believe I'm being cross
15 examined, so I don't know if I can answer that.

16 CHAIRPERSON HOOD: Let me do this. Let me try it
17 this way.

18 You two are going to work together long after I'm
19 gone, you won't see me anymore, and I think, personally,
20 what I'm hearing from you both, I think you all have a lot
21 to offer to community, even if you're on different sides.

22 So we want to not have any personal attacks.
23 Let's work together. You guys work together, because I can
24 tell you right now in this city, we need you. We need you
25 to work together. We don't need that.

1 So try to -- if you have questions, Commissioner
2 or Ms. Harris or Chair Harris, ask the question and then let
3 him respond, but let's try to -- let's try to tone it down
4 some.

5 MS. HARRIS: Absolutely. That's why I wanted to
6 ask. I wasn't going to answer. So I'm just asking about
7 your testimony, Commissioner Kensek.

8 My next question, in your written testimony your
9 final paragraph states that the votes of two members of ANC
10 1B should not be counted. Why do you believe it's
11 appropriate to disenfranchise the neighbors who are
12 represented by then Commissioner Johnson and Commissioner
13 Holihand? Is that to request that the Zoning Commission
14 base any D.C. Code -- base their decision in any D.C. Code
15 other than D.C. law?

16 MR. KENSEK: Just as I said in my testimony,
17 Commissioner Johnson actually brought on in a special
18 election. So no ill will. He was there for about three
19 months. After he voted yes, less than a month later he
20 resigned and moved out to San Francisco. So I don't know
21 how that's helping out or related to 1617 U Street.

22 And as for the other one, Commissioner Holihan,
23 you know, he did vote yes as well, but that commissioner has
24 resigned as the end of this month, as you know. So when you
25 start looking at things like people not staying in the area,

1 it doesn't mean that their vote shouldn't count. It just
2 that it should also hold great weight that you don't make a
3 vote -- it's like me saying yes to let's make every building
4 larger and then I move out of the area to go back to
5 Manhattan where I used to live for 15 years.

6 It just has to make sense. And I think that it
7 should be noted, for the Zoning Committee, that if you start
8 looking at the votes and going through with them, you can
9 then see that some of these votes might not hold as much
10 water or great weight as we would say.

11 MS. HARRIS: Okay. Those are all the questions
12 that I have.

13 MR. KENSEK: I would like to say one thing, if
14 it's okay. I know that some people like to get on Twitter,
15 I know I -- OP said to us that the setback of 40 feet would
16 be enough and that's inaccurate.

17 Again, I want to say that the setback of 40 feet
18 will not function any better than any split zoning. And
19 that, again, I'll go for the record. Thank you.

20 CHAIRPERSON HOOD: All right. Thank you,
21 Commissioner.

22 All right. Let's see, Ms. Schellin, do we have
23 anybody from ANC 2B? Either Zack Adams or Meg Roggensack?

24 Okay. What about Randy Jones? Randy Jones.

25 MR. JONES: Hi there.

1 CHAIRPERSON HOOD: Okay. Mr. Jones, you may begin
2 with your questions or your questions.

3 MR. JONES: Yeah. Just a couple quick ones just
4 to clarify.

5 Ms. Stockland, could you state your address,
6 please?

7 MS. STOCKLAND: -- (audio cutout) Northwest.

8 MR. JONES: Okay. So within a block of the site?

9 MS. STOCKLAND: Yes, within eyeshot. Very much
10 within a block.

11 MR. JONES: Yes. And then same question for Ms.
12 Staines? I'm just trying to understand where everyone's
13 coming from.

14 CHAIRPERSON HOOD: Ms. Staines, you are on mute.

15 MS. STAINES: 1768 Lanyear Place Northwest. I'm
16 in Margaret Stevens NC1C05.

17 MR. JONES: 10-4. And then I guess just
18 Commissioner Kensek, I wanted to ask you a couple of
19 questions and kind of play a little bit on Chair Hood's
20 illusion to a design solution.

21 And I think -- I think what he's getting at,
22 hopefully, is sort of just the level of nuance that we've
23 been promised that will come with DMPED's RFP, and maybe, if
24 you could just outline, in your capacity as an ANC
25 commissioner, some of these meetings that happened?

1 I wasn't around for, but I know they had sort of
2 outlined a process and they wanted to focus on this as a
3 Zoning hearing. Could you sort of, you know, getting the
4 zoning first and then go into the RFP for the nuance?

5 You know, they've been -- could you kind of just
6 elaborate a little bit, you know, how the ANC deliberated
7 that and how it was pitched by OP as were going to attack
8 the zoning and then go into the RFP, I guess? I wasn't
9 there for any of that and I'm just -- I think it's germane
10 to understand sort of why the ANC voted the way they did?

11 Is that a fair question, Commissioners? I don't
12 want to waste any time.

13 MR. KENSEK: Yes. No, I understand your question,
14 Randy, and I'll be direct to the point. I think that we,
15 you know, the OP did talk to us. We had some conversations
16 through meetings, online, sometimes Daniel Lyons called in.

17 The Economic Development Meeting, there's been
18 about two of them that have stated or talked about just this
19 site alone.

20 You know, even being in my field, when you start
21 talking about any types of setbacks or possibly working with
22 the land, what just I get concerned with is that, and this
23 is even on video on April 7th of me saying, there's no
24 guarantee.

25 So we might have a set guarantee just say from the

1 current developer about the police station, the fire
2 station, but in two, three years from now and just say Mayor
3 Bowser is not reelected, which could happen, my thought
4 process also says well, that developer then speaks to the
5 new mayor and can possibly say, you know what, we looked at
6 our numbers and the police station is really -- we're not
7 going to be able to get that, plus the fire station.

8 That's where those things start happening. And
9 being here for eight years and living in Manhattan for 15
10 years, also working with zoning in Manhattan, I've seen this
11 happen too many times and it concerns me, which is why I've
12 been a pretty strong no since April.

13 I love these five-hour calls, just like every one
14 of us, but you know, I'm that passionate to stay here, to
15 stay on this making this almost my full-time job because of
16 how serious it is.

17 I hope that answers your question, Randy Jones.

18 MR. JONES: Yes. And just to expand on that a
19 little bit. I mean, the one ANC I was able to attest or
20 able to attend, do you recall how much time was allotted for
21 public testimony?

22 MR. KENSEK: Yes. That's also a great question.
23 The public was stiffened a bit. And when I say stiffened,
24 you know, 1B and again, something I should probably look to
25 revote on and I will, they're allowed to give two-minute

1 statements and then no other statements thereafter.

2 So even if you have a follow-up question, you've
3 already discussed the topic, you're done. I do feel that
4 that one line in person, which was I believe on April 7th,
5 only talking about this site, we had a huge in-person
6 turnout and 90 percent of them were about this site and
7 let's just say I don't feel everyone got their fair chance
8 to either ask their full question or respond to the question
9 asked back by the commissioners.

10 At one point, one of the commissioners stated, you
11 know, we can only do so much. This is a slam dunk case, you
12 know? So I feel like it was already in everyone's mind,
13 going into this, that you know, there's nothing that the
14 great weight of a Commission is really going to do to change
15 that, and I just don't believe that's true, which is why I
16 stayed on my stance.

17 So the answer to your question? No, I don't feel
18 the public had proper information and/or were able to get
19 their points discussed to not only the ANC, but then,
20 depending on if the ANC really went back to OP or DMPED with
21 those concerns.

22 I know I did with a couple, but I can't speak for
23 my other eight colleagues.

24 MR. JONES: Yeah. You know, at that meeting did
25 you feel that the public was rushed or that the Commission

1 as a whole was rushed into a decision, you know, that night?
2 Was there a sense of rushing? You know, that was in April
3 and we're here --

4 MR. KENSEK: Understood.

5 MR. JONES: -- almost a year later?

6 MR. KENSEK: Understood. Again, to keep this
7 point blank, like Chair Hood has said. I do feel that way.
8 Yes, this is why I'm still going on about this. It's not --
9 I felt that the, again, a lot of people looked at it like,
10 oh, we're going to get affordable housing. This is a slam
11 dunk. Let's just do it. It makes sense. We have the land;
12 it's just sitting there.

13 And I don't really think anyone, including the
14 chair of 1B had a full understanding of what can be done or
15 how it can be done. And I think, as time has gone out,
16 we're almost at a year now, two months from now it will be a
17 year when we took this vote, I think that people might
18 actually have possibly even changed a vote or even, maybe
19 thought that the, you know, hearing the testimonies and
20 talking to the people. When I went around knocking there
21 was not enough adequate time and/or energy spent into this
22 vote and I do feel it was a rushed vote.

23 If I recall, I even asked if we could possibly
24 postpone it to see about having more outreach to the public,
25 and I believe that was not -- it was seconded, but I don't

1 believe it took anywhere from that.

2 As I said, there's a knit group between us.

3 MR. JONES: Understood. And I have one last
4 question for Mr. Delladonne. And I really do apologize for
5 taking so long here with questions. It's been 15 hours
6 already. I promise I'm not trying to waste anybody's time.
7 I just -- we didn't have the outreach and this is our only
8 chance.

9 So that's why you're getting this, Zoning
10 Commissioner members. It's because the city didn't play by
11 its own rules and hold themselves to the same standards they
12 do of private developers.

13 So last question for Mr. Delledonne. Speaking to
14 the supply and demand and the economics, are you aware of
15 the DC Office of the Attorney General lawsuit, which was
16 filed against Real Page and Landlords regarding collusion?

17 MR. DELLEDONNE: I am marginally familiar with it
18 only.

19 MR. JONES: Fair enough. I'm looking for someone
20 who might be able to speak intelligently about it. Sorry.

21 Thank you for the time.

22 CHAIRPERSON HOOD: Let's go to Gregory Adams,
23 Black Neighbors, do you have any cross?

24 MR. ADAMS: Yes. It's been apparent, from
25 listening to these hearings, what's been said here, that the

1 Office of Planning did not do its due diligence when it came
2 to outreach to the community.

3 And I think that they expect the Zoning Commission
4 to just rubberstamp that for them, and I think, based on
5 what --

6 CHAIRPERSON HOOD: Mr. Adams --

7 MR. ADAMS: Yes?

8 CHAIRPERSON HOOD: Mr. Adams, this is time for you
9 to ask questions, not to give us your testimony.

10 MR. ADAMS: Okay. I'm sorry.

11 Mr. Kensek, can you elaborate on what you've been
12 saying about the outreach that OP failed to do? Are you
13 aware that they did any studies regarding the amount of
14 affordable housing already here in this community?

15 MR. KENSEK: Mr. Adams, great question, and the
16 answer would be a simple, no, they haven't. And I know that
17 because I've gone to some of these buildings. There is a
18 building on W Street and V, which is also an SMD above
19 Tatte. They opened it about two years ago.

20 I spoke to their building management about a month
21 and a half ago and they still, they said they had over 20
22 percent of their affordable housing units still open.

23 So again, that questions, well, if it's been
24 opened two years, how long does it fill affordable housing?
25 On top of that, we have another site opening at 1250 U

1 Street of 106 units that are also going to be affordable
2 housing.

3 On top of that, we have Reeves Center that's going
4 to be opening that's going to have affordable housing. So
5 again, as I stated in my testimony, affordable housing is
6 necessary and I agree with it.

7 I believe 35,000, around that mark, should be a
8 fair number for affordable housing and I would love for at
9 least 50 percent, I know that's reaching, to be at that
10 affordable housing with only 50 percent at marketplace.

11 But again, I know we're not going to get
12 everything we want, but I don't think that OP really went
13 through the steps of making sure. I know that when I
14 visited these houses, some of them thought I was from my OP.

15 They thought I was like reaching out and saying,
16 listen, I got to vote on this today, tomorrow, or yesterday,
17 whatever it may be, and, you know, and I want to hear from
18 you, hear from the horse's mouth, you know, living here how
19 this could impact you.

20 Does that answer your question, Mr. Adams?

21 MR. ADAMS: Yes, it does. Thank you.

22 Mr. Delledonne, I think I heard you mention, in
23 your testimony, that DMPED may have some information about
24 the amount of surfeit housing it has in this community. Are
25 you --

1 MR. DELLEDONNE: I believe they have a database
2 and I cannot speak for it, but if I find it, while the
3 record is still open, I will present it.

4 MR. ADAMS: Okay. Thank you.

5 Thank you, Commissioner, no more questions.

6 CHAIRPERSON HOOD: Okay. Thank you.

7 Let's go to Ms. Akel, Rochelle Apartments.

8 MS. AKEL: Can you hear me? Okay, great. Thank
9 you.

10 I just have a couple questions for Commissioner
11 Kensek, who I did engage with about this and I want to thank
12 him for his objectivity.

13 Commissioner, would you characterize the meetings
14 that your ANC had about this? Would you characterize them
15 that we had a fair hearing or, you know, among your fellow
16 commissioners, or do you feel like a lot of them already had
17 their minds made up because they have certain, you know,
18 worldviews about development?

19 I mean, how would you characterize that?

20 MR. KENSEK: Yes, Ms. Akel. The answer is no, I
21 do not feel the public had fair time to discuss or ask
22 questions. I felt they were shut down and absolutely do I
23 feel that they went in there with a predetermined notion, as
24 I started earlier, one of them had commented during it and
25 you can watch these recordings back, that this was already a

1 slam dunk, before we even took the vote of whether or not.

2 Again, this was also under the impression that
3 split zoning was a big no, couldn't happen. OP said they
4 couldn't do it so that was it. And that was also
5 misleading.

6 So no, the answer to your question, the public did
7 not have the proper amount of time. I felt it was rushed,
8 and it was absolutely predetermined 100 percent.

9 MS. AKEL: Thank you. Second question, do you
10 feel, having gone door-to-door on V Street with your
11 constituents, do you feel that OP did enough community
12 outreach or were you surprised at how little the neighbors
13 knew about what was going on in their neighborhood?

14 MR. KENSEK: As far as I'm concerned, they did no
15 outreach and that's not just as of April when I walked
16 around. I still stay in touch with my community. I try to
17 get out at least once every two weeks just to walk my
18 parameters.

19 A lot of my time has been spent between 16th and
20 17th on V Street and talking to my constituents there, but
21 no, they were ill-informed. They got more information from
22 what I spoke to them about then they did from anything from
23 OP or DMPED, or even the 1B community, which this site
24 resides in.

25 MS. AKEL: Thank you. And last question. Are you

1 aware of any serious consideration that OP or DMPED or
2 anyone did on the risk of displacement with an MU-10 on
3 neighborhood buildings like mine, like ours, and like your
4 constituents on V Street?

5 MR. KENSEK: That would be an absolute, no. You
6 know, the process, again, in which it was set up, you know,
7 people don't think of long term. Anything that is built at
8 this site, again, I want to be clear. I want affordable
9 housing. I want a new fire department, police department.

10 I want those guarantees that they're going to come
11 back, but I can that, you know, there wasn't really anyone
12 that gave explicit, like, besides when I was walking around
13 talking to these different individuals, they didn't
14 understand what was going on, why it was going on, who was
15 determining this, why it was being determined, and I think
16 there was just a lot of confusion.

17 Did I answer your question, Deborah?

18 MS. AKEL: Yeah. Just about the displacement, if
19 you heard anybody take any note of that risk?

20 MR. KENSEK: Yes, ma'am. I would say the
21 displacement really was not any type of scenario that anyone
22 brought up. The one thing I thought of, just during the
23 process is that no matter what happens, you know, taxes are
24 going to be raised in the area because you're building up
25 more housing units.

1 So my concern is like everyone on V Street and on
2 Seaton Street that are in areas of either affordable
3 housing, it doesn't matter how affordable it is, taxes going
4 up, you're not affording that.

5 So I think that was also a misconception or not
6 really, you know, understood, or said to the public. It's
7 almost -- again, this whole process has been putting the bug
8 before the horse kind of thing, but I think that's a great
9 question and the answer to that simply is, is no.

10 MS. AKEL: Thank you. That's it for me. Thank
11 you.

12 CHAIRPERSON HOOD: Thank you.

13 Let's go to Homeowners within 200 feet. Ms.
14 Feskanich?

15 MS. FESKANICH: I would like to continue with
16 Commissioner Kensek, if I might?

17 Do you know if Commissioner Ashley Fields, who is
18 the ANC representative of this parcel of land where the
19 police and fire station are currently located, do you know
20 if she conditioned her vote in support of this resolution
21 because she expected some impact studies to be done that
22 were associated with this rezoning proposal?

23 MR. KENSEK: Thanks for the question, Ms.
24 Feskanich.

25 I don't want to speak for Commissioner Fields.

1 What I will say is that she was -- she really does care
2 about her constituents in that area. That is her SMD 1B-07.

3 I will say she is the only commissioner with a yes
4 vote, but it did have conditions, and the conditions were
5 impact studies, impact survey, lighting studies, none of
6 which, to date, that I have heard any responses back and
7 that's why I stated in my open testimony, if we were to go
8 and literally start looking at the commissioners that have
9 left and now you're bringing it down to 5 to 2, and even out
10 of those give yeses, one of the five, which was Commissioner
11 Fields, had some questions she wanted to have done, and from
12 my understanding as of today, there has been no answers or
13 responses to her questions in regards to impact studies or
14 surveys completed of any to this date.

15 MS. FESKANICH: Thank you. Another question for
16 you, Commissioner Kensek. You talked about split zoning and
17 a portion in the redevelopment, according to differences
18 between V Street and U Street, but this particular request
19 is to rezone the entire site.

20 So do you think that this rezoning of the entire
21 site would allow developers, by right, to build up the
22 maximum on the entire site and we would have no recourse to
23 address any kind of mitigations?

24 MR. KENSEK: Well, I want to be clear, if you
25 raise the MU-10 to the entire site, we can say we're going

1 to do a 40-foot setback, we can say that were only going to
2 get MU-4, MU-5. They can say a lot. They're going to say a
3 lot. Developers, as we know it, again, being in property
4 management myself, we say a lot of things, not that they're
5 lies, we have good intentions, but when the things come up
6 or come down the road, they're not always set b.

7 I do want to say that I believe this process, we
8 have to be fair. And I think that whether I'm against this
9 vote, there's not things that -- there are things about this
10 vote I would like to say yes on.

11 I mean, MU-10 as the whole site? The answer is
12 no. I think that's why I kept bringing up the split zoning
13 because it just would be uncharacteristic of the
14 neighborhood itself, even if we go to 120, it would be the
15 largest building in the area.

16 I can't even think of another -- including down to
17 14th and U, going into Dupont Circle, where we would have a
18 building of anywhere from 100 to 120 stories and also, as I
19 read in my testimony, you know, back in 1898 when they
20 looked, the White House looked at possibly putting some
21 monuments right here on Malcom X Park, which is literally in
22 my backyard. And the reason for that is because of the
23 openness of the city.

24 Having an MU-10 there, that would absolutely block
25 any reasoning. And I get it was 1898 and we're now in 2024,

1 I understand that. It was just to bring some history to the
2 area.

3 I hope that answers your question, Ms. Feskanich.

4 MS. FESKANICH: Yes, thank you. Thank you,
5 Commissioner Kensek.

6 I have a question for Ms. Stockland. You
7 mentioned spot zoning in your testimony. Why is it that
8 you're concerned about the spot zoning?

9 MS. STOCKLAND: Take a real close look at just
10 building heights in our community and beyond and if this
11 plot gets upzoned to MU-10 and a developer develops it, by
12 right, up to let's call it what it is, it's 12 stories, it
13 would be like a middle finger in the middle of our
14 community.

15 There is nothing around that is even remotely that
16 high and even on the U Street side or on the 16th Street
17 side, and I thought that's kind of a misnomer of a --
18 another kind of misnomer from our meetings is when you hear
19 Chair Harris and others make their case about a section is
20 just as high, it's really not.

21 I work downtown in a 11-story plus penthouse
22 building and to think that that would be in our community is
23 wildly out of place. So that's what a spot zoning is.
24 It's, you know, gerrymandering ain't just about voting. It
25 is about carving sections of any given community to suit

1 what a group of individuals wants to happen there.

2 And that's what this would be in a zoning and
3 development perspective. So you know, we all live in these
4 little -- these are condo alternative row houses is what
5 they are and some folks have tried to make these seem like
6 an elite enclave, absolutely not.

7 It's a super diverse community, diverse in all
8 ways. And these are, you know, 1,000 square foot homes,
9 right? It's spread over two and three stories, which makes
10 for lovely modest homes for folks.

11 And to think that there would be community
12 services ripped out of neighborhood and replaced by a rental
13 apartment building? Who in the world would want that to be
14 their legacy, never mind to live next to that? It doesn't
15 make sense.

16 And the supply and demand, I did take economics
17 and have been speaking with some of the folks I know who
18 have the PhD's in economics focused on real estate and
19 housing. It's not as simple as it's (inaudible) to me
20 unlike Econ 101 teaches you off the bat. It doesn't work
21 like that.

22 It's not you build more and you solve it. That's
23 a never-ending kind of hungry, hungry hippo beast. So I
24 feel like the argument that we need more affordable housing,
25 you build more and it solves, it doesn't exactly work like

1 that, unfortunately, you know, I wish it did.

2 Does that answer your question? I'm sorry.

3 MS. FESKANICH: It does. Thank you. Thank you,
4 Ms. Stockland.

5 I have a question for Mr. Carraway. You mentioned
6 in your testimony that you were very concerned about safety
7 and this particular site houses two of our essential
8 services, the police and fire and EMS, do you know of any
9 impact studies that were done, regarding the safety, if
10 these emergency services were moved, even temporarily?

11 Do you know of any impact studies? Were any
12 shared with you?

13 MR. CARRAWAY: Many of the instances I think we've
14 engaged with members of the ANC to learn more about what the
15 actual mitigation plans are. They've kind of just said, you
16 know, not my problem.

17 In terms of we've heard from the actual police
18 force themselves. Most of them are opposed to this right
19 now, for many reasons. I'm not sure if that answers the
20 question.

21 MS. FESKANICH: Yes, thank you. Thank you.

22 And one last question for Mr. Delledonne. You
23 mentioned in your testimony that there are other
24 alternatives to achieving affordable housing.

25 Can you tell us what some of those are? Do you --

1 can you share (crosstalk)?

2 MR. DELLEDONNE: Well, there's a popular topic and
3 is gaining some attention called social housing, which would
4 be basically mixed income. It's a derivative of public
5 housing where you put all the poor people together.

6 So social housing would be many different incomes
7 and it would be owned by the state and managed by the
8 tenants and it has a lot of recommendations for it. And we
9 favor that the bill proposed by one of the Council members,
10 Janeese Lewis George, called the New Green Deal for housing
11 incorporates a pilot study for that and we'd like to see the
12 city explore that.

13 Certainly this would be a good site for it.

14 MS. FESKANICH: And so do you think MU-10 would be
15 the best way to maximize affordable housing on this site?

16 MR. DELLEDONNE: No. We're against upzoning and
17 we're against the MU-10 and we believe there's a certain
18 character in that neighborhood that is lower height.

19 MS. FESKANICH: Okay. Thank you.

20 I don't have any other questions, Chair Hood.

21 CHAIRPERSON HOOD: And let me just say, Mr.
22 Delledonne, the Zoning Commission has already been having
23 conversations, I know I have with Council Member Lewis
24 George about social housing.

25 So I want you to know that we're not just sitting

1 back asleep. I have been talking to her about that. I know
2 there's some things in the Council she's working with and
3 she and I have spoken on that on a number of occasions and
4 how we can institute that.

5 So I just want you to know that we do a little
6 work sometime too. Okay.

7 All right.

8 MR. DELLEDONNE: Thank you.

9 CHAIRPERSON HOOD: Let's go to Mr. Hanlon, BCCA?
10 Mr. Hanlon, you have any cross for this panel?

11 MR. HANLON: Yes, thank you, Chair Hood.

12 I have a -- oops, you can only see the top of my
13 head.

14 I have a couple of questions. Thank you, Chair
15 Hood.

16 I'd like to ask Mr. Kensek several questions. In
17 your testimony you referred repeatedly to Chair of 1B and
18 you were doing that over a period of time where there had
19 been some change in commissioners.

20 When each time that you referred to the Chair of
21 1B, were you referring to Chair Sabel Harris?

22 MR. KENSEK: That would be a yes, sir.

23 MR. HANLON: And did I understand your testimony
24 correctly that the ANC 1B never considered alternatives to
25 MU-10 for the zoning of this site, such as MU-5; is that

1 correct?

2 MR. KENSEK: That would also be correct, sir.

3 MR. HANLON: And this site is actually 11 separate
4 record lots. Was there any discussion by ANC 1B about
5 trying to zone of these record lots one zone and some of
6 these record lots a different zone?

7 MR. KENSEK: That would also be a no, sir.

8 MR. HANLON: And are you aware that the record
9 lots, the 11 of them, some are townhouse size lots that
10 stretch along V Street where the police station is now, and
11 stretch along 17th Street, where part of the police station
12 is?

13 MR. KENSEK: I'm not understanding the question.
14 I'm sorry. Do you mind saying that one more time,
15 Counselor?

16 MR. HANLON: Yeah. Are you aware that some of
17 these record lots, that comprise this parcel, are the size
18 of townhouse lots and they stretch along V Street and 17th
19 Street?

20 MR. KENSEK: Got it. Yes, that is correct. There
21 are several, I want to say at least four to six houses on
22 the -- or the same side of V Street, which does -- is right
23 next to the police station, which is 1620 V Street.

24 MR. HANLON: Thank you. And you are aware that
25 the building height for an MU-4 zone would be 50 feet, I

1 believe, is that correct?

2 MR. KENSEK: Yes, sir.

3 MR. HANLON: And was there any discussion on the
4 ANC about well, if we redevelop this parcel, we could put
5 the police and fire station on the first two stories of the
6 building and still build three floors of affordable housing
7 within the 50-foot height of MU-4?

8 MR. KENSEK: That was not discussed. It seemed as
9 though they just had this predetermined notion that we're
10 going to get 600 apartments and 200 of them are going to be
11 affordable housing, and that's kind of where I felt it kept
12 going.

13 But yeah, that was not discussed at all.

14 MR. HANLON: And when you say what was discussed
15 was 600 units of apartments at this site, did OP provide you
16 with any parking management plan for the redevelopment of
17 this area that would include 600 more apartments on this
18 block?

19 MR. KENSEK: They did not. That was one of the
20 questions I had, again, during my original testimony when I
21 went through of reasons that didn't make sense. We already
22 have a parking issue here in the area, especially in 1B.

23 I even have spoken to Councilmember Renea Doe
24 (phonetic) about it. Her response to me was if we stop
25 building parking garages, people will stop buying cars,

1 quote/unquote.

2 And that's kind of been the mentality. But I can
3 tell you, from looking from the business aspect and seeing,
4 especially after COVID, a lot of these businesses closing
5 down.

6 You know the Reeves Center right now, that's
7 pretty much the main parking for the area that's also being
8 taken down. I know they were supposed to build another 130-
9 spots there.

10 At this particular site, I have not heard of how
11 many parking spots. I heard they would possibly be looking
12 to go underground, which is a good thing, but in terms of
13 the amount or being able to handle the amount of the 600
14 units, no. It's inconceivable.

15 MR. HANLON: Am I -- is it correct that you and
16 members of the ANC were told that during construction, at
17 least during construction, the police station would have to
18 be relocated somewhere else?

19 MR. KENSEK: That really never came up. I think
20 that I have raised the point that like what are we going to
21 do because I know, being in construction, they'd have to do
22 it phased.

23 So they would have to do -- take down like the
24 fire department at once, possibly use the police station
25 where it is then do the swap when they decide to do --

1 | however they're deciding. You know, one's going to have to
2 | be out, if not both. It really depends on the planner.

3 | But that wasn't really discussed to anyone in the
4 | 1B or did we discuss it, like, well, what's going to happen
5 | to the fire department/police department? Are they just
6 | going to go poof?

7 | I do believe, from my other fellow commissioners,
8 | that if they knew that the fire and police were not coming
9 | back, I think there might have been some other votes and
10 | going nay versus yay, but yeah, it was not discussed really.

11 | MR. HANLON: And do you not think that it's an
12 | important topic for the ANC to discuss? Where the police
13 | station is going to be relocated temporarily or permanently
14 | when considering how to advise on this project?

15 | MR. KENSEK: Yes, sir.

16 | MR. HANLON: And you are aware that the D.C.
17 | Police Union opposes this project because of its concerns
18 | about how it's going to affect public safety in moving the
19 | police station even temporarily from this site?

20 | MR. KENSEK: Yes, I do, but I do want to state
21 | that, you know, sometimes people don't like change, so not
22 | to get away from our question, Counselor Hanlon, just that I
23 | think that some police might not want the change of just
24 | having to deal with going to a different area.

25 | So I don't -- I didn't really put that in my

1 testimony, but I would answer the question that, of course
2 there's going to be a lot of people that don't want it.
3 That want to move and I feel the Zoning Committee should
4 look at that appropriately as well, because some people just
5 don't like change.

6 MR. HANLON: I was looking at the Comp Plan and I
7 was looking at Comp Plan 2013.11 and I had a question. Let
8 me read you this sentence and then I would like to see if
9 the ANC discussed this in its consideration.

10 It says, "Utilize public land at the Reeves
11 Center, the Housing Finance Agency, Garnet Patterson, Engine
12 9, and MPD Ferrit District Headquarters to create mix-used
13 neighborhood landmarks that acknowledge and continue the
14 history of U Street as a black business corridor."

15 Was there any consideration, when the ANC was
16 debating this project back in April of last year, was there
17 any consideration by the ANC at that time about how this
18 project would acknowledge and continue the history of U
19 Street as a black business corridor?

20 MR. KENSEK: To the best of my knowledge? No. it
21 wasn't even discussed.

22 MR. HANLON: Do you know whether the ANC met with
23 the Florida Avenue Baptist Church to discuss this project
24 before voting to recommend this project?

25 MR. KENSEK: I can't speak for the other eight

1 commissioners, but we do all talk and I have not heard of
2 anyone speaking to any church at all for that matter.

3 MR. HANLON: Do you know whether ANC 1B arranged
4 any meetings with black business leaders along U Street to
5 discuss with black business leaders, black businessmen,
6 black businesswomen this project before voting to recommend
7 this project?

8 MR. KENSEK: I am not aware of any. If there was,
9 I am not aware. Again, I can't speak for Commissioner
10 Fields who single-member district she is. She's very
11 thorough and she is a great commissioner. I don't know,
12 though, if that was taking place, nor did I hear of anything
13 like that.

14 MR. HANLON: Did ANC 1B ask OP for a displacement
15 study about whether low- and moderate-income residents and
16 whether residents of color would be displaced if this
17 project goes forward?

18 MR. KENSEK: You know, that only came up I'd say
19 in the -- this was after the vote was taken and about two or
20 three months ago, before these hearings. I want to say --
21 actually, right in June, before this hearing originally
22 started, I believe June 20th, we did have a local meeting at
23 the police headquarters there at 1620 V and it was brought
24 up and it was part -- we put in the resolution that we'd
25 like to have that done, but again, I don't believe any

1 studies have been proven or shown to any of these questions,
2 to be frank.

3 MR. HANLON: Okay. So as far as you know OP has
4 not done any study about how this project might affect
5 displacement by income or by race; is that correct?

6 MR. KENSEK: I'd be willing to put my life on it.
7 That's correct.

8 MR. HANLON: I don't have any more questions.
9 thank you, Chair Hood.

10 CHAIRPERSON HOOD: Okay. Thank you and thank the
11 panel, the first panel and also thank the parties in
12 opposition for the way you answered questions. It's greatly
13 appreciated by my colleagues and I.

14 Ms. Schellin, if we can bring up the next five.

15 MS. SCHELLIN: Yes, I'm waiting for Mr. Young.
16 Give him a second to take everyone down, and then I will
17 move on to the next panel.

18 So we'll move on to Ian Bell, I'm sorry, wrong
19 person. We're going to opposition. Let me -- screen froze
20 up, so we will move to page 2.

21 James Brannon, I'm sorry. Wrong category, that's
22 undeclared. So don't bring him up yet. Opponent, Debbie
23 Hanrahan, Charles Blien or Bien, I'm sorry, B-i-e-n, Mr.
24 Young, Chris Otten, William Schulz, Ian Hawkesworth.

25 Is that five?

1 MR. YOUNG: Yes.

2 MS. SCHELLIN: Okay. That's five, Mr. Young?

3 MR. YOUNG: For the last name, I know I saw him on
4 earlier.

5 MR. BIEN: Charles Bien did you say? B-i-e-n.

6 MS. SCHELLIN: Yes, he's under Foxworth.

7 MR. BIEN: I'm here. I'm here. I can't --

8 MS. SCHELLIN: You see him?

9 MR. BIEN: -- I don't why I can't get my beautiful
10 picture of me, but you've got my voice.

11 (Laughter.)

12 CHAIRPERSON HOOD: Okay. While Mr. --

13 MS. SCHELLIN: Do you see him, Mr. Young?

14 CHAIRPERSON HOOD: Mr. Bien is working on his
15 picture, (crosstalk) let's go ahead and get started.

16 Let's go ahead and get started --

17 MS. SCHELLIN: Mr. Young, he's under Hawksworth.

18 CHAIRPERSON HOOD: Okay. You all can bring him
19 up.

20 Ms. Hanrahan, you can go ahead and begin.

21 MS. HANRAHAN: I can't get my picture.

22 MR. YOUNG: That's okay.

23 CHAIRPERSON HOOD: Hover over where it says,
24 "start video".

25 MR. BIEN: Yeah, I've done that and it doesn't

1 seem to do it.

2 CHAIRPERSON HOOD: Well, why don't you all work on
3 it since we want to see you, Ms. Hanrahan, so why don't we
4 just go to Chriss Otten. Let's go to Chris Otten first.

5 And put yourself on mute so we can hear Mr. Otten.
6 Mr. Otten?

7 MR. OTTEN: Does that make --

8 CHAIRPERSON HOOD: I'm going to ask everybody else
9 to mute except for Chris Otten.

10 MS. SCHELLIN: Yeah, I just muted Mr. Bien. He
11 was unmuted.

12 CHAIRPERSON HOOD: Okay.

13 MS. SCHELLIN: So maybe Mr. Otten, you can --

14 MR. OTTEN: Is that all right?

15 CHAIRPERSON HOOD: Let's try it again.

16 MR. OTTEN: Can you hear me, Chairman Hood?

17 CHAIRPERSON HOOD: Okay.

18 MR. OTTEN: Okay, thanks. Thank you, thank you.

19 Commissioners, my name is Chris Otten, I am here
20 testifying tonight with D.C. for Reasonable Development as a
21 co-facilitator and also in my personal hat because I live
22 nearby the site. I live about a block and a half away.

23 And I joined about 1,000 neighbors on the petition
24 and over 200 letters in opposition to this MU-10 rezoning.
25 The Commission is being asked to rezone this site to MU-10

1 by right in the future.

2 Once you zone it MU-10 for the whole site, it's by
3 right, as Mr. Kensek said, anything happens in the future
4 could really, you know, just be spelled out that way by the
5 zoning you set. So obviously you have a very critical role
6 here.

7 I heard at the last hearing testimony that there's
8 no mandated for community outreach and I'm just kind of
9 startled to hear that. I think we all know, whether you're
10 for or against any of these projects, we should be engaged
11 with and we should be invited into the conversation.

12 I think that's just common sense and I just have
13 to wonder, does respect have to mandated?

14 I will point the Commission to 10 AD DCMR 2506.2,
15 which is an equitable public participation. It's Policy IM
16 1.5.1 in the Comp Plan. You know, we heard that there's
17 nowhere in the Comp Plan where it talks about this.

18 District-led planning activities shall provide
19 meaningful, accessible, and equitable opportunities for
20 public participation early and throughout these planning
21 activities.

22 If that's not a mandate in writing, I don't know
23 what it. But I think you all understand this. I mean, I've
24 known this Commission long enough that public participation,
25 community engagement, that's priority number one and if we

1 actually had it here with the Office of Planning, directly
2 with the affected community, we could have discussed some of
3 the things that Commissioner Kensek talked about, a split
4 zone.

5 I'm just getting hip to some of the things,
6 Subtitle 11K, a Special Use Zone I just found out about,
7 where the community can actually set some zoning parameters
8 for such a large site. It's been done around the city
9 apparently, where we could talk about the required
10 affordability, the required setbacks, where on the site,
11 none of that happens without community engagement and
12 conversation.

13 And that, I think, is a resounding sort of theme
14 we're hearing both for and against this MU-10. That just
15 didn't happen.

16 The Racial Equity Tool, which you all put into
17 place I think it's very important. That's IM 2501.8. That
18 requires engagement.

19 The community workshops that are in 10 DCMR
20 2506.4, that's required. And so these are all mandates I've
21 read in the Comp Plan, and the reason is, you know, so we
22 could talk about the life safety issues, if the police and
23 fire station are displaced by this rezoning.

24 We could talk about the displacement and other
25 impacts that are -- that would be brought on by such a large

1 change in land use for this area.

2 I speak about this, going to my personal hat, I
3 live on Champlain Street. It's a block and a half from the
4 site. Right up the block this Zoning Commission rezoned and
5 remapped a site for a luxury hotel.

6 You know, within a few months of that rezoning of
7 that luxury hotel, all of the properties on this block,
8 including my Co-op, it's a Limited Equity Co-op, founded by
9 Marion Berry, Mayor for Life in 1986.

10 MS. SCHELLIN: (Crosstalk).

11 MR. OTTEN: Hello? I'm sorry. I missed that.

12 CHAIRPERSON HOOD: Let's just make sure we stay on
13 mute.

14 Go right ahead, Mr. Otten.

15 MR. OTTEN: Okay. I'm sorry. Yep. So for my co-
16 op, within a few months after the rezoning for the luxury
17 hotel at the block, all of the properties on my block went
18 up in value.

19 The tax appraiser came along within a few months
20 and said your property is now worth x amount more. There
21 was a building nearby the hotel that was worth 1.6 million
22 at the start of the rezoning. At the end of the process, it
23 was 3.5 million, literally three months after it.

24 By the time the hotel opened up, that building was
25 worth six million and subsequently, so was their tax

1 appraisal.

2 And so for co-ops like mine and the co-op right
3 across the street from the site, we're already on the brink
4 because of some of these other projects. And so this is the
5 sort of thing that we talk about when we talk about impact
6 studies and community engagement.

7 We could have real conversation around that.
8 Community engagement and conversation didn't even happen
9 around the future land use map amendment for this site,
10 Amendment 8050. Brianne Nadeau, our Council member didn't
11 talk to us about it, the OP didn't talk to us about it, it
12 happened last minute.

13 We didn't even get a chance to talk about that and
14 look at the impact studies and so the origins of this map
15 application is in doubt, is in question because of lack of
16 outreach engagement and impact study.

17 So I would beg this commission to hear these
18 voices, to understand your natural instinct, which is to
19 demand that there is engagement and proper engagement as
20 highlighted in the Comp Plan. So we can talk about things
21 like a Special Use Zone with specific parameters so that OP
22 and the affected community can come back to you together
23 collaboratively with a real plan.

24 Right now, this isn't it, and I appreciate your
25 time. Thank you so much.

1 CHAIRPERSON HOOD: Thank you. And if you can hold
2 tight, we may have some additional questions.

3 MS. HANRAHAN, are you able to come on now, or
4 should I go to Mr. Bien? Let me go to Mr. Bien. Okay.

5 MR. BIEN: We can't --

6 MS. HANRAHAN: Mr. Chairman?

7 CHAIRPERSON HOOD: Yes?

8 MS. HANRAHAN: I can't, but you don't need to see
9 my face. I just have a lot of white hair, so it doesn't
10 matter.

11 CHAIRPERSON HOOD: Oh, okay. all right. You may
12 begin.

13 MS. HANRAHAN: No. I want to start off with
14 something very heartfelt. I appreciate you're making
15 everybody feel so comfortable today and you're getting the
16 best out of them as a result.

17 And I find this a very, very exciting experience
18 to have such a meeting before the Zoning Commission. My
19 value in all of this. I'm not an expert on zoning, but I am
20 an activist and I have collected signatures all my life
21 going way back to the signature gathering to call a
22 Constitutional Convention to create a state of Washington
23 DC.

24 I know how hard it is to collect signatures, but
25 I'm telling you, I have never had such an easy time at

1 collecting signatures as when we were on 17th and U.

2 People I mean, it was hot. We were senior
3 citizens. We all had white hair. We didn't -- everybody
4 except me had never done it before. And it was like
5 shooting fish in a barrel.

6 We collected signatures so quickly on this issue.
7 I cannot tell you. I'll read you what people signed, but we
8 got over 1,000 signatures, in the heat of the summer, and
9 people were stunned when they heard what 17th and U was
10 going to have.

11 They had not been told about it. And they asked
12 us to tell them about what was planned for their community.
13 Our original impetus for going there to collect the
14 signatures was to find out what the community view was.

15 We didn't want to be -- I live at 15th and Q. I'm
16 an outlier. I don't want to go into a neighborhood where
17 I'm at odds with the views of the neighborhood.

18 So our original idea was to collect signatures to
19 see if we were in sync. Not only were we in sync, we turned
20 out to be the educators. I mean, it was so ironic.

21 But anyway, I want to say that, in addition -- oh,
22 I wanted to read what people signed.

23 "We, the undersigned, urge the DC Zoning
24 Commission not to approve the proposed-up zoning of this
25 public land to MU-10 to allow a ten-story luxury apartment

1 building to be built on this public land.

2 We want transparent, data driven community
3 engagement. Two, all two acres at 17th and UV remain in
4 public control. Three, any proposed redevelopment be lower
5 in scale, considering the real impacts on nearby neighbors
6 and protect public safety."

7 Now, in addition to that over 1,000 signatures, we
8 have submitted 200 letters in opposition. We have all these
9 public -- this testimony today, which you are so graciously
10 handling.

11 And I think there's a message here that people
12 don't want what the District government is trying to impose
13 on this site. I also would like to say just as some as an
14 old lady who's watched a lot of these things happen.

15 There's a lot of energy in this city on a lot of
16 things, but it's not on thinking creatively about low-income
17 housing, affordable housing. They're just not -- it's just
18 not being done.

19 We're shoving it over to the developers and saying
20 you handle it. We're thinking -- trying to think creatively
21 about a new football stadium, a new sports arena in
22 downtown, and then an expansion of our Convention Center.
23 But come on, people. Social housing is the thing that we
24 ought to be looking at and exploring.

25 And I think this site is just perfect for it. And

1 thank you for your time. Amen. Finished.

2 CHAIRPERSON HOOD: Thank you. Okay. Hold tight.
3 We may have some additional questions.

4 MS. HANRAHAN: Yeah. Right.

5 CHAIRPERSON HOOD: Okay. Mr. Bien, you may begin.

6 MR. BIEN: I'm Charles Bien, a professional
7 community planner with over 50 years of experience. I'm a
8 member of several local organizations devoted to better
9 planning in the D.C. area.

10 But I am here representing no organization, but
11 merely someone unfortunate enough to have my home about the
12 proposed land use change and monstrous proposed development.

13 I have listened to all the previous four
14 development presentations and would like to correct some of
15 their statements with factual comments.

16 First of all, on the height of the buildings. The
17 reason I raise this is that a few of the proponents for
18 development said how well it would fit into the existing
19 high-rise buildings, even though the tallest of nearby
20 buildings is four and a half blocks away and four stories
21 shorter than the requested zoning change allows.

22 The building height across U Street from the
23 proposed development ranges from two to four and a half
24 stories. The half story is the pinnacle of the top of the
25 old fire station building.

1 The building height on 17th across from the police
2 station range from two and a half to four stories. On the
3 west side of 16th Street between U and V streets, the
4 highest building, the Balfour Apartments is merely six
5 stories.

6 The rest of the block, including an apartment
7 building, is either three or four stories. Crossing V
8 Street and continuing up 16th Street, all the buildings are
9 either three or four stories until you reach the end of the
10 block at the Washington House Apartments, which sit catty
11 corner from Malcolm X Park and is eight stories high.

12 Similarly, all but one along New Hampshire Avenue
13 are four stories below the height limit that the proposed
14 zoning change would allow. The one other building is only
15 two stories.

16 To me proponents' most glaring shortcoming is the
17 failure to study the impact of development on people and
18 needed public facilities. This shortcoming was especially
19 disturbing when it came to the Office of Planning's failure
20 to investigate minority needs and representation.

21 How can the claim be made that this proposed
22 change would not threaten the officially designated historic
23 districts that surround the site? It's like saying that one
24 can build a McDonald's on the entrance to Mount Vernon.

25 A density increase of this scale would cause

1 considerable strain on existing facilities. Just a few of
2 the things are that the huge increase in additional
3 pedestrian and vehicular traffic on U, V, and 17th streets
4 and demand for additional school recreation facilities and
5 the removal of tons of additional garbage, which there is
6 when there is already a major public health rodent problem.

7 The proposed development, while claiming that it
8 will address affordable housing needs of the city when it
9 will cater to white upper middle rather professionals who
10 will change the current composition of the immediate
11 neighborhood from a racial mix of middle and lower-income
12 residents.

13 The map and the text of the Comp Plan were both
14 inactive by the D.C. Council. The text of the Comp Plan has
15 many provisions protecting conservation areas and similar
16 manmade and natural resources, but it seems like some are
17 saying that only the map counts.

18 Finally, I am amazed that no true market study was
19 done. A simple but decent argument or certainly observation
20 that there is no need for more costly high-rise departments
21 in the area is to walk along V, U, and 14th streets at dusk
22 and see the vacant apartments and for rent signs. Thank
23 you.

24 CHAIRPERSON HOOD: Okay. Thank you.

25 Ian Hawkesworth?

1 MR. BIEN: I'm sorry. What?

2 CHAIRPERSON HOOD: No. I was calling the next
3 person, Ian Hawkesworth.

4 MR. HAWKESWORTH: Thank you very much,
5 Commissioner Hood.

6 Yes. Thank you for giving me the time to make an
7 intervention about this very important development. My name
8 is Ian Hawkesworth. I live right across from the
9 development at 2036 17th Street with my wife and two
10 children and what I propose is simple and I think
11 reasonable, which is, you know, develop the land, but take
12 care of the area and the people live around here.

13 The point was already made, and then I apologize
14 that some of the points I will make you've probably heard
15 before, but I they bear repeating. This is not a downtown
16 environment.

17 There are no 11-story high rises here. Even U
18 Street doesn't have any of those. This is, apart from U
19 Street, low rise. And the most buildings, when they're
20 considered large, are four to six stories. And that's the
21 nature of the neighborhood and particularly for this area is
22 not abnormal to other areas.

23 It's a very D.C.-type neighborhood where an 11-
24 story building would be not in keeping with the
25 surroundings. So Commission members, please think of a

1 street where that you care about, a residential street and
2 then imagine 11 stories. And I think it's not difficult for
3 you to understand where we're coming from.

4 But let me make the point as well that we're not
5 saying or I'm not saying don't develop. By all means, we
6 understand development is necessary. Social housing is
7 necessary and it can be done well.

8 And that's fine and we ask you to go ahead. We
9 just ask you to keep it in nature keep it in the spirit of
10 the buildings around it. So four to five stories, it would
11 work fine.

12 Finally, my point would be that this is not
13 complicated to convey and you understand it. And we would
14 have been very happy to also convey it to the planners, but
15 there seemed to have been very little genuine effort to
16 reach out to those of us that live here.

17 There was silence followed by a downtown style
18 proposal of 11 stories. And when questioned, and this is my
19 personal opinion, I thought it was a process that was
20 characterized by secretiveness and standoffishness and not a
21 genuine willingness to engage.

22 And the questions remain, right? So why didn't
23 the officials investigate other options when it's so obvious
24 how out of place 11 stories would be? Why was splitting
25 zones not looked at? And why have the consequences of such

1 a big development not been looked into?

2 There was a former intervention which mentioned
3 that people are shocked. I think it's true. People are
4 shocked and upset about this process. It seems that it was
5 decided far away from where we live.

6 And let me end by saying, I hope that this block
7 can be modernized in a good way that that works, both for
8 the current residents and for the future residents. And
9 with that, I thank you for your time.

10 CHAIRPERSON HOOD: Thank you very much, Mr.
11 Hawkesworth.

12 Let's see if we have any questions or comments.
13 Commissioner Imamura, do you have any questions or cross?
14 Questions?

15 COMMISSIONER IMAMURA: No questions. Thank you,
16 Mr. Chairman.

17 CHAIRPERSON HOOD: Thank you. Vice Chair Miller,
18 you have any questions?

19 VICE CHAIR MILLER: We thank each of you for
20 taking the time to testify here this evening.

21 CHAIRPERSON HOOD: Okay. And, Commissioner
22 Stidham, do you have any questions or comments -- I mean,
23 any cross? Any questions?

24 Okay. I don't have any. When's able to come back
25 I'll go back to her.

1 I don't have any as well. I appreciate everyone's
2 testimony.

3 Ms. Hanrahan, it's good to hear your voice. I
4 have not seen you in a while and it's good -- I want to
5 thank everybody.

6 Commissioner Stidham, you have any questions?

7 COMMISSIONER STIDHAM: Am I back? Sorry.

8 No, sir. Thank you.

9 CHAIRPERSON HOOD: Okay. Ms. Schellin, I am going
10 to try to call the parties so we can get ready for the
11 parties in opposition.

12 Mr. Kirschenbaum, Office of Planning?

13 MR. KIRSCHENBAUM: No questions. Thank you.

14 CHAIRPERSON HOOD: Thank you.

15 Chair Harris, ANC 1B?

16 MS. HARRIS: Yes, I have just a few questions for
17 Ms. Hanrahan.

18 Can you help me understand why a taller building
19 would impact public safety as your petition language
20 indicates?

21 MS. HANRAHAN: Well, I, unfortunately, at the same
22 time we were collecting the signatures there were a lot of
23 carjackings and street robberies and people would talk about
24 that and they felt that the presence of a tall building,
25 where the police department was not guaranteed to swing

1 back. I mean, a lot of people feel that we can't find the
2 building in the city that has a police station in it on the
3 first floor.

4 We're looking for other cities that perhaps have
5 been able to accommodate a police station in the first floor
6 of a luxury building, but we haven't located it yet. I'm
7 sure it can be done, but we just haven't seen it.

8 So I think that I think that was very much on
9 people's minds. And really, I'm a cipher. I was reflecting
10 what people were telling me. They did not want to lose
11 their public safety, their police station, and the fire
12 station.

13 And so I took that as a genuine concern. I'm
14 sorry. I'm talking too much. Yeah. But good question.
15 Yeah.

16 MS. HARRIS: And then have you gotten any
17 indication that the intent of the government is to no longer
18 maintain ownership of the land?

19 MS. HANRAHAN: You mean -- well, you mean the fact
20 that whether it will be leased or sold to whoever develops
21 it? Is that your question? I'm not sure I understand the
22 question.

23 MS. HARRIS: That is the question. What I guess
24 yeah --

25 MS. HANRAHAN: Right.

1 MS. HARRIS: So you have gotten indication that
2 the intent is to either lease or to be sold?

3 MS. HANRAHAN: Well, that's the pattern in the
4 District, but the people we talked to and in our petition,
5 we've specifically asked them if they wanted to give up
6 ownership of public land for luxury housing, and it was a
7 resounding no.

8 MS. HARRIS: But there was no indication from the
9 government --

10 MS. HANRAHAN: Oh, I see.

11 MS. HARRIS: -- about no longer maintaining
12 ownership?

13 MS. HANRAHAN: Well, I'm sure as you know and as
14 other people have brought up, it's very hard to get a
15 specific answer from the government as to the planned
16 situation as to the land.

17 You don't know if it's going to be leased. You
18 don't know if it's going to be sold. You don't know the
19 details of the lease. You don't know the price of the sale.

20 In other words, it's a very murky area that nobody
21 wants to explain. And I have quit trying.

22 MS. HARRIS: And then I guess I want to go back to
23 the first question really quickly here. So because there is
24 the increased worry about public safety, as you've found
25 when you were out petitioning, would you agree that this

1 would be suitable for Third District station and FEMS to
2 return to the site?

3 MS. HANRAHAN: Oh, do I personally think that?
4 Absolutely. But let me say again, I really think, from the
5 responses of people who live in the neighborhood, it's an
6 overwhelming preference that both of them return, yes.

7 I don't live in that neighborhood. I live at 15th
8 and Q. I defer to their feelings and it seems to me that
9 it's clearly overwhelmingly the preference.

10 MS. HARRIS: And then another question. Can you
11 explain how a different decision in zoning would make social
12 housing more possible here?

13 MS. HANRAHAN: Well, first of all, you're asking
14 someone who's not an expert. And I appreciate your
15 interest. And I hope all of us will become experts in
16 social housing, because it seems to me that the city has let
17 us down.

18 There is no creative thinking being done.
19 Inclusionary zoning has not worked. A friend of mine told
20 me the other day that the black community long ago realized
21 that inclusionary zoning does not -- is too expensive for
22 black people to afford.

23 Well, that tells you right there. We're missing
24 the mark. Anyway, so I'd like you -- I'm not knowledgeable.
25 I have never seen it in real life. I would like to be able

1 to afford to go to Vienna and look at their social housing
2 because that city won the award, for the second year in a
3 row, as the most livable city in Europe. And why is that?
4 Because they have this wonderful housing program of social
5 housing.

6 So I, you know, I am very optimistic that this is
7 the answer that we've all been looking for to really deal
8 with this critical question. You know, forget your football
9 stadiums. Forget your convention centers.

10 Let's deal with what we really need and let's
11 solve the homeless problem in this city. We're smart enough
12 to do it. And so let's just do it.

13 MS. HARRIS: Would you agree that, I guess, more
14 housing would help solve the homeless crisis here in D.C.?

15 MS. HANRAHAN: It's a question of what the
16 parameters are for occupying it. When you have your ceiling
17 higher than the median income of a black family in -- for
18 instance, let me look. Let me just read you something.

19 The annual median household income in D.C. for
20 black family is \$54,401. Of the 372 units produced under
21 inclusionary zoning in Fiscal 2021, just 95 went to
22 households earning less than 71,000.

23 This means that someone earning up to \$71,000 a
24 year would qualify for available IZ housing and beat out
25 black applicants.

1 You see, we're not we're not aiming for people who
2 are in need of housing who are making the median income for
3 black families. We've priced them out of the market.

4 What good is that? You know? I mean, come on.
5 These are the people that have run the city that make it
6 work that during COVID kept it going. You know, I want
7 these people to be taken care of.

8 MS. HARRIS: Yeah. Okay. Thank you.

9 I have another question for Mr. Ian Hawkesworth.
10 The Sonnet, an 11-story building is .2 miles away from 1617
11 U Street. Do you not consider that part of your
12 neighborhood?

13 MR. HAWKESWORTH: Sorry. I'm trying to get the
14 hardware to work.

15 I walked around and I didn't -- which, sorry, what
16 building? The Sonnett?

17 MS. HARRIS: Yes.

18 MR. HAWKESWORTH: I don't know. I can't give you
19 a good answer. Obviously, it's not made a big impression on
20 me.

21 MS. HARRIS: It's at 1441 U Street. And again,
22 it's .2 miles away from 1617 U Street and you mentioned you
23 live in the nearby vicinity of 1617 U Street.

24 So would you consider that not part of your
25 neighborhood?

1 MR. BIEN: That's not two miles away. It's
2 between 15th and 14th Street. That's not two miles.

3 MS. HARRIS: It's .2 miles.

4 MR. BIEN: Oh, .2 miles. Okay.

5 MR. HAWKESWORTH: Listen, the point is that if you
6 describe the nature of the neighborhood then you describe
7 the nature of it. You may have found one building that, you
8 know, with a few 100 yards is in or out or whatever, but the
9 nature of the neighborhood is not that an 11-story building
10 would fit in any way, and it this is a massive lot.

11 And around -- this is not U Street. This I mean,
12 the part I'm talking about in particular is low rise
13 residential. It's, I mean, you know this. It's an
14 unreasonable thing to do. That's my point.

15 MS. HARRIS: So what you're saying is you don't
16 consider the building that is .2 miles away a part of your
17 neighborhood?

18 MR. HAWKESWORTH: There is no 11-story building,
19 as far as I can see, that is .2 miles away.

20 MS. HARRIS: Can you remind me, what your address
21 is again or how close you are?

22 MR. HAWKESWORTH: 2036 17th Street.

23 MS. HARRIS: Okay.

24 MR. HAWKESWORTH: Across from the police station.

25 MS. HARRIS: Okay. So that -- the Sonnet is

1 fairly close to you.

2 Okay. But --

3 MR. HAWKESWORTH: But you understand my point,
4 right, Ms. Harris?

5 MS. HARRIS: That is not for me to say at this
6 time.

7 MR. HAWKESWORTH: Yeah.

8 MS. HARRIS: Thank you so much. Those are all the
9 questions I had.

10 CHAIRPERSON HOOD: Okay. Thank. Let's see.
11 Let's go to ANC 2B, either Zach Adams or Meg Roggensack.

12 (Pause).

13 CHAIRPERSON HOOD: Okay. All right. Let's go to
14 Randy Jones.

15 MR. JONES: No questions. Thank you.

16 CHAIRPERSON HOOD: Okay. Thank you.

17 Gregory Adams, Black Neighbors?

18 MR. ADAMS: For, Mr. Otten, I think in your
19 testimony you mentioned something about the lack of
20 outreach. And can you -- something about impact studies.
21 Can you tell me what you mean by that? The lack of impact
22 studies being conducted?

23 MR. OTTEN: Sure, Mr. Adams.

24 Well, the lack of outreach I think is pretty
25 troubling. I think we all have admitted this that they just

1 didn't do, OP the applicant, didn't do the outreach.

2 For a co-op like where I live, that's huge. I
3 mean, you have 30 families. They're all working class
4 people of color, besides myself and they've not been engaged
5 on this.

6 They've not been told what by right means, what
7 split zoning means. They've not been clued in about what
8 could happen to our building and the taxes on our building
9 if this paradigm of we need to build 12 stories of luxury
10 housing to get a handful of affordable units, right?

11 I mean that's the old paradigm. That's where I
12 think social housing might be able to help us break that. I
13 think we all want to get to 150 -- I think the Attorney
14 General's Office testified to they want 150 or there could
15 be 150 units of affordable housing at this site.

16 That is awesome, let's get there. Do we need to
17 do that in under MU-10? Do we need to blow out the zoning
18 and actually potentially displace the existing
19 affordability?

20 Like, where I live around it in order to get to
21 150 units of so-called affordable housing here. As Ms.
22 Hanrahan pointed out, the disparities in the racial wealth
23 income gaps here in D.C. is so wide that an affordable unit,
24 it really varies depending on your race and your class.

25 When you talk about -- I heard my -- the chair of

1 my ANC testified last hearing that ANC 1C defines affordable
2 housing at 60 percent AMI. That is for a studio one
3 bedroom, that is an affordable unit for somebody making
4 \$65,000 a year.

5 The minimum wage in DC is \$17 an hour. That's
6 about 30,000, 35,000 a year. So the affordable housing is
7 for somebody making two to maybe three times the living
8 wage, the minimum wage in DC.

9 It's untenable. It's untenable. The affordable
10 housing isn't affordable. So when we hear that, I guess
11 that's part of the outreach. It's sort of like, can OP come
12 out and actually tell us what does affordable mean in DC?
13 Can you tell us what by right means?

14 If this gets rezoned to MU-10, by right, anybody
15 who owns the land whether it's the city or anybody else in
16 the future can build to an MU-10 envelope whether you like
17 it or not.

18 You know how about a conversation around custom
19 zones that, you know, gets to the needs you're talking
20 about? These are the conversations that I had hoped would
21 have happened.

22 I mean, OP filed this a year ago and it still
23 hasn't happened with you, Mr. Adams, with any of the
24 neighbors here, with the co-op right across the street from
25 the site. To me, it's just unfathomable that OP thinks this

1 is okay.

2 So I guess to your question, it's like, yeah,
3 outreach it's required by the Comp Plan. There's plenty of
4 Comp Plan policies that talk about equitable public
5 participation. It just hasn't happened here.

6 The Racial Equity Tool is being ignored, and this
7 Commission did their dutiful role there to actually create
8 one per the Comp Plan requirement. They did it. And to
9 make it seem like it's just kind of optional at this stage
10 of the game when, you know, 60,000 black people have been
11 displaced from our city over the last 20 years of all this
12 building.

13 I mean, at this point, we need a new paradigm Just
14 building up, going out, and not talking to us about it isn't
15 it. It's not it. I hope that answers your question.

16 MR. ADAMS: Thank you, Mr. Otten.

17 I have a question for Ms. Hanrahan. You mentioned
18 collecting signatures, and I'm just curious can you tell me
19 something about if you heard anything specifically from the
20 black residents or black neighbors in this area, if they had
21 any special concerns?

22 MS. HANRAHAN: No. In fact, I'm trying to -- I'm
23 scratching my head to try to remember specific black
24 residents that I talked with. I can tell you, in general,
25 that displacement -- I came home and told my husband I said

1 after the first day we went out.

2 I said, honey, this is the first time that I have
3 noticed an anxiety among a young white people about being
4 displaced. It's usually, in my experience when I've gone to
5 meetings, they might have been a largely black attendance,
6 and you used to mention luxury condos. Everyone would go,
7 oh, no.

8 Well, here, I encountered young white people
9 feeling that this was that this was city-sponsored
10 gentrification and it would have upward pressure on all of
11 the rents around the neighborhood, and they would be
12 displaced.

13 I mean, they I wasn't saying that to them. They
14 they're very smart, and they saw the connection. So I, in
15 response to your question, I think, in general, everybody is
16 in the same boat here that this development will upend
17 the -- this wonderful neighborhood. I mean, it is a lovely
18 neighborhood, and this will upend it and it would and ruin
19 it.

20 MR. ADAMS: Thank you, Ms. Hanrahan.

21 Thank you, Chairman Hood.

22 CHAIRPERSON HOOD: Let's go now to Ms. Akel,
23 Rochelle Apartments.

24 MS. AKEL: Hello. I just have two questions for
25 Mr. Hawkesworth if he's still with us?

1 CHAIRPERSON HOOD: Yes. He's still with us.

2 MS. AKEL: Okay. Hi, Mr. Hawkesworth. I was the
3 one who organized our meetings for our neighborhood and I
4 wanted to ask you, do you recall any outreach to our
5 neighborhood by the Office of Planning or by our
6 councilwoman, Brianne Nadeau, or by DMPED to come in person
7 and meet with us to talk about this massive project?

8 MR. HAWKESWORTH: No, I didn't. And quite on the
9 contrary, I mean, it was striking how little that we had,
10 that you and others had to go out there and grab people from
11 street corners and say, listen, this is what's going to
12 happen. Let's do something.

13 I mean, I would never have known if it wasn't for
14 people such as yourself. So, no, I don't. I think it's
15 shocking.

16 MS. AKEL: Thank you. And my last question is, do
17 you feel that the fact that we're being cross examined by
18 our own ANC chair is a little troubling and points to the
19 fact that we may not have had a fair hearing in front of our
20 ANC?

21 MR. HAWKESWORTH: I think that's a great question.
22 I don't begrudge anybody to try to make their point, but, I
23 -- there was a former speaker that said there was kind of a
24 clique that was running the ANC. I think, he sounds very
25 reasonable.

1 MS. AKEL: Thank you. That's it for me.

2 CHAIRPERSON HOOD: Okay. We have been going
3 almost two hours. My colleagues let's take a, a break until
4 about 6:15. Okay? Let's take a break until 6:15.

5 MS. FESKANICH: Chair Hood?

6 CHAIRPERSON HOOD: Yes.

7 MS. FESKANICH: The homeowners within 200 feet
8 have not had a chance to cross examine yet. Am I the last
9 one?

10 CHAIRPERSON HOOD: No. We're going to take about
11 a ten-minute break. We've been going for over two hours.
12 And as soon as I come back to you.

13 MS. FESKANICH: Okay. Thank you.

14 CHAIRPERSON HOOD: All right. Okay. So let's
15 come back at 6:15, everybody.

16 (Whereupon, at 6:08 p.m. a short break was taken,
17 to continue on following page.)

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1 E V E N I N G S E S S I O N

2 CHAIRPERSON HOOD: All right. Commissioners, if
3 we are all coming back up.

4 And let me also say we apologize sometime for
5 chewing, but, it's not good when you eat at nine o'clock
6 when you finish these hearings.

7 So we try to get it in as we go along, because
8 then if we start eating it after nine, I know me, I'm up all
9 night.

10 So, we appreciate your indulgence, and we'll do
11 our best to be very discreet about how we were doing it. So
12 right. All right. We're waiting on Commissioner Stidham.
13 Make sure she's back and we'll get started.

14 (Pause).

15 CHAIRPERSON HOOD: I'm sure she'll be back
16 momentarily. So let's go ahead and get started.

17 Ms. Feskanich, you wanted to do some cross exam on
18 this panel?

19 MS. FESKANICH: Yes, thank you, Chair Hood.

20 Question for Mr. Hawkesworth. As someone who
21 lives right across from this police station and fire station
22 and potential development site, are you concerned about the
23 impact a downtown sized building would have on property
24 values and possible displacement of some of your neighbors?

25 Mr. Hawkesworth, that did he hear me?

1 CHAIRPERSON HOOD: Mr. Hawkesworth? There he is.
2 Mr. Hawkesworth, if you're talking, we can't hear you. I
3 see you are muted.

4 Mr. Hawkesworth, I think you may be having
5 problems with your headphones. You may want to take them
6 off and switch over?

7 Ms. Feskanich, do you have -- I want to say -- Mr.
8 Hawkesworth?

9 MS. FESKANICH: Is here there? Do you want me to
10 repeat the question?

11 CHAIRPERSON HOOD: It looks like he signed off,
12 but he'll come back on.

13 Do you have a question for somebody else until he
14 gets back?

15 MS. FESKANICH: Yes. For Ms. Hanrahan I have a
16 couple of questions.

17 I was very impressed with your signature
18 gathering, over 1,000 signatures, and I wanted to ask you,
19 do you think the people that who signed your petition would
20 engage with OP if OP had said they wanted to discuss with
21 the neighbors what was going to happen with that site? Do
22 you think they would be willing to engage?

23 MS. HANRAHAN: Yes. Absolutely.

24 MS. FESKANICH: So it's not really an
25 unwillingness to engage, but rather they're not being given

1 an opportunity to do so?

2 MS. HANRAHAN: Correct.

3 MS. FESKANICH: Okay. And is it, of the
4 signatures that you gathered, Ms. Hanrahan, is it is it fair
5 to say that between 80 and 90 percent of those signatures
6 are within five to ten blocks of this site?

7 MR. HAWKESWORTH: You're right again. Yes. We
8 were standing in front of the police station, in front of
9 the Korean store, which is very popular, and next to the
10 liquor store right across the street. And there was people
11 immediately in the neighborhood that passed us by and
12 signed.

13 MS. FESKANICH: Okay. And one last question for
14 you, Ms. Hanrahan, does the Third District police and fire
15 station serve your area where you live?

16 MS. HANRAHAN: I think it does, but I'm not
17 absolutely sure.

18 MS. FESKANICH: So you really would have a concern
19 about police and fire moving or being displaced somewhere --

20 MS. HANRAHAN: Oh, yes.

21 MS. FESKANICH: -- or lose services?

22 MS. HANRAHAN: Absolutely. I mean, and it's not
23 that I'm against change for change's sake. I mean, I just
24 think whenever you upset an institution like this without
25 any kind of outreach or planning or consideration, you may

1 be doing a lot of harm.

2 And this this government has not reached out. It
3 has not done that kind of information gathering.

4 MS. FESKANICH: Thank you.

5 I have a question for Mr. Bien. You gave a very
6 good characterization of the neighborhood surrounding this
7 particular proposed rezoning site. Do you think that the
8 area was accurately taken into account when this map
9 amendment request was made?

10 CHAIRPERSON HOOD: Mr. Bien, you're on mute.

11 MR. BIEN: Absolutely not. In fact, another
12 neighbor, who's on Seaton Street and I, went down to a
13 meeting with our council person when she was opening a new
14 office at City Hall and we ask her, this is before anything
15 happened in this.

16 We just heard rumors that something might be
17 happening. And we asked her, you know, what are we going to
18 do about this? Her response was, quote, that's going to be
19 built, close quote. And she shoveled us out of her office.

20 MS. FESKANICH: Interesting. Okay. Thank you.
21 And, a question for Mr. Hawkesworth. Is he there now?

22 CHAIRPERSON HOOD: Yes, he is.

23 MS. FESKANICH: Hi. As someone who lives right
24 across the street from the police and fire station here, are
25 you concerned about the impact that a downsized building

1 would have on property values and possible displacement of
2 some of your neighbors?

3 MR. HAWKESWORTH: Yeah. I'm certainly concerned
4 about the displacement issue and I'm not an expert, but it
5 seems to be, you know, people who are worried.

6 On property values, I don't know. I don't know if
7 it matters, but I would -- I don't know. I'm more concerned
8 with quality of life and sort of preserving the neighborhood
9 while still giving ample opportunity for developing.

10 MS. FESKANICH: Appreciate that. Thank you.

11 And just a couple of questions for Mr. Otten. You
12 testified about the FLUM change. And would you like to
13 discuss more of your experience with that, the FLUM change
14 that precipitated this amendment?

15 MR. HAWKESWORTH: I did mention that in my
16 testimony. As I understand it, it's labeled Amendment in
17 need 50, by the Office of Planning Report. You know as the,
18 I think as this can certainly Commissioner Hood and Mr.
19 Miller know, probably know, I was working with Empower DC
20 and a coalition of folks to -- during the whole Comp Plan
21 process.

22 And it was, you know, years long process. It was
23 quite detailed. There was a lot of outreach, then by the
24 Office of Planning. I don't know what's happened since, but
25 you know, I think it started in 2016, and the framework

1 element was voted on by the Council in 2018, and then we
2 were gearing up.

3 There was public hearings by the Council on the
4 rest of the plan in 2020, in November of 2020. And this --
5 none of the changes in Adams Morgan, let alone 1617 U Street
6 was up for debate, was even being proposed as late as
7 November of 2020, when we went to the Council to give our
8 feedback about the amendments.

9 The first time I heard about any changes to Adams
10 Morgan properties where I live, where I've lived for 25
11 years, was in March of 2021, like six weeks before the
12 council was to take this up at a little noticed ANC
13 Committee meeting, ANC 1C. Brianne Nadeau sent one of her
14 staffers to the -- I happened to be there and she, yeah, the
15 staffer just sort of presented suddenly these changes to all
16 the planning maps for Adams Morgan and I was just shocked.

17 I couldn't understand it and I relayed my concern
18 about that to David Meni who was a brand-new staffer who
19 brought suddenly these changes in March of 2021 to my ANC
20 Committee Meeting.

21 It wasn't even the ANC with a whole. The ANC
22 never -- the ANC 1C never took a vote on it. None of the
23 other ANCs in the area took a vote on it. It was just sort
24 of presented as like, oh, we're considering this. It wasn't
25 really fully thought out and maybe it was but, in fact, I

1 think it's on the record at that time in March of 2021 to
2 Mr. Kensek's talk about split zoning the actual FLUM map
3 only showed half of the site would be up FLUM'd to high
4 density.

5 The other side along 17th Street and along V was
6 not. So I just think it's interesting. Somewhere in May
7 from the Council dais, as I understand it like Brianne
8 introduced an amendment for the whole site to go high
9 density.

10 Nobody had a conversation about this in the
11 community. It just was introduced for the first time, you
12 know, at the City Council hearing where they're taking up
13 the Comp Plan that had been discussed for years prior.

14 I just -- it was a stunning workaround of
15 community input and also impact study of something like this
16 and it was shocking. I don't know if that answers the
17 question.

18 MS. FESKANICH: Yeah. I think that does. And
19 then it sounded like there was no community engagement on
20 that last part of the Comp Plan change. You called it
21 Amendment 8050. Is that right?

22 MR. HAWKESWORTH: That's what OP called it in
23 their report.

24 MS. FESKANICH: Okay. And you sound really well
25 versed on the and you've been following the call and its

1 changes really, really carefully.

2 Have you put a list of the Comp Plan policies on
3 our case record that you believe this application is
4 inconsistent with?

5 MR. HAWKESWORTH: I know I might have mentioned it
6 a couple of policies, verbally, and also, I think I might
7 have had it in some prior written testimony, but I'd be
8 glad, if it helps the Commission, I'd be glad to put a list
9 of what I believe how this application contradicts some of
10 the key Comp Plan policies, if that's helpful.

11 I mean, for example, like how about, you know
12 we're talking all this talk about affordable housing.
13 There's entire sections of the Comp Plan about that, and I
14 don't see the Office of Planning engaging on those things.

15 So Action H dash 2.1.f, Affordable Housing
16 Preservation Unit. I live in affordable housing. There's
17 affordable housing across the street from the site. OP
18 should have been engaging with this preservation unit to see
19 how MU-10 rezoning is going to affect us and I don't see
20 that happening.

21 There's also Action, Comp Plan Action H-2.1.I, an
22 anti-displacement strategy, track neighborhood change
23 development and housing costs to identify those that have
24 experienced, our experience or likely to experience
25 displacement pressures. Where does that happen?

1 Like, I was just kind of like I don't know why
2 these words exist in the Comp Plan if we're just going to
3 ignore them. It to me -- I'd be glad to put the list on the
4 record if that's helpful to you, Ms. Feskanich, and to the
5 Commission.

6 MS. FESKANICH: I think it would be helpful and I
7 would like to see that. And I just, I have another question
8 related to that.

9 On balance, would you say -- I know the Comp Plan
10 has a lot of bit different directive and policies, but on
11 balance would you say the negative impacts outweigh the
12 positive?

13 That was brought up a couple of times during
14 previous testimony. And they said it's sort of a balancing
15 act, but in your opinion how do you see that on balance?

16 MR. HAWKESWORTH: I mean, I'm no expert and I --
17 and this is where I come back to an actual community
18 engagement process and like an actual OP talking to us and
19 showing us data and all that.

20 It's hard to balance things when you don't
21 actually have the data to do the balancing, right? So it's
22 like, yes, we can build all this affordable housing and
23 luxury housing, but at what expense?

24 Is it going to displace my housing and 30 units
25 here? Is it going to displace the 10 units across the

1 street? Is it going to displace the people?

2 So, like, without data, without an analysis, like
3 a true impact analysis or even a sense of what's happening
4 in the neighborhood, like, before you make such a game
5 changing sort of remapping application. Like, it should be
6 started at beginning this conversation. There should be
7 real some real data involved.

8 That's all expected in the Comp Plan, by the way.
9 This is and basic I mean, common sense. I'm surprised even
10 a year on that, you know, we're talking about these
11 questions.

12 Like, clearly, we've made these issues known to OP
13 and they have yet to respond to them.

14 I do want to point Chairman Hood, I saw, at
15 Exhibit 624, to your point about supply and demand,
16 affordable housing versus, you know, I mean, how the prices
17 of housing comes up or go down.

18 There's a great submission there by a group that I
19 like to affiliate myself with, Save DC Public Land. I
20 consider myself a member. I signed a petition thanks to
21 Debbie, and it really breaks it down.

22 Like, you can't have supply and demand corrections
23 when the major real estate companies that are getting these
24 big blocks of land and building these big buildings, if
25 they're colluding on rent prices and housing costs, the

1 price is never going to come down.

2 So we can keep building and there's always going
3 to be somebody saying, oh, we just have to build more
4 because the price will come down eventually. But if the
5 real estate companies are colluding to keep the prices high,
6 it's never going to come down and the Attorney General is
7 actually suing these real estate companies.

8 And anyway, that's all explained in in 624. I
9 mean, which partly goes to like the city emptied out during
10 COVID. 20,000 people left.

11 CHAIRPERSON HOOD: Mr. Otten, is that in response
12 to Ms. Feskanich's question?

13 MR. OTTEN: About the balancing? I think.

14 CHAIRPERSON HOOD: Because you alluded to an
15 exhibit that I'm well aware of because I said that some
16 years ago, and I still believe it today. That's why I asked
17 the question.

18 MR. OTTEN: Yeah.

19 CHAIRPERSON HOOD: So I'm just trying to make sure
20 that you deal with the cross examination from Ms. Feskanich.

21 MR. OTTEN: Okay. I guess I wanted to raise that
22 because when we do the balancing, like, we hear the touting,
23 the benefit of this type of high-density rezoning is all
24 this housing and all this affordable and therefore some
25 affordable housing.

1 But because if you build more housing, the price
2 come down and so the balancing issue there, it's like, oh,
3 well, yeah, of course, let's build more housing. But the
4 reality is if the real estate companies are colluding, the
5 price -- there's no supply and demand equation at play when
6 the big boys are going to be colluding to keep the prices
7 high.

8 And so I think that's a very real thing in the
9 balancing test. It's like, well, why are we building all
10 this housing? The price ain't actually going to come down.

11 Yeah. About --

12 CHAIRPERSON HOOD: Mr. Otten, I think you have
13 captured that question very well. I appreciate you bringing
14 that exhibit up.

15 MR. OTTEN: Yeah.

16 CHAIRPERSON HOOD: When I asked the question, I
17 already knew the answer to that question.

18 MR. OTTEN: I saw your quote in there.

19 CHAIRPERSON HOOD: Yeah. I saw that the other
20 day.

21 MS. FESKANICH: Chair Hood, actually, that was
22 another question I was going to ask Mr. Otten about the
23 supply and demand, but he preempted me. He got that in
24 there. So, but, yeah.

25 And I appreciate all of your analysis, Mr. Otten,

1 because it's obviously that you've thought about this a lot
2 and weighed all the, the factors involved, and I appreciate
3 your testimony tonight. Thank you.

4 No, I don't have any other questions. Thank you,
5 Chair Hood.

6 CHAIRPERSON HOOD: Okay. Thank you, Mr. Ms.
7 Feskanich.

8 Let's see. We have Mr. Hanlon; do you have any
9 questions?

10 MR. HANLON: Thank you, Chair Hood.

11 I have a couple of questions for several of the
12 witnesses. Debbie Hanrahan, I saw you out there collecting
13 signatures in the July heat, so I much admire you for
14 collecting so many signatures.

15 How long have you lived in the neighborhood?

16 MS. HANRAHAN: Approximately 55 years.

17 MR. HANLON: And so you're pretty familiar with
18 this for with the neighborhood after 55 years, I assume?

19 MS. HANRAHAN: Yes.

20 MR. HANLON: And are you aware of any community
21 outreach at all that OP did prior to filing this zoning
22 case?

23 MS. HANRAHAN: No.

24 MR. HANLON: I would like to -- thank you, Debbie.
25 I would like to ask Chris Otten, is he there? Back already.

1 Let me go to Charlie Bien first and before I go to
2 Chris Otten because I only have a quick question, Chair
3 Hood, for Charlie Bien.

4 I was going to ask you as well. How long have you
5 lived in this neighborhood with your wife, Mr. Bien? I
6 can't hear you.

7 MR. BIEN: We first moved in, and in fact, we were
8 neighbors of Debbie. I think it was 1969. Then I had, a
9 tremendous career opportunity to be an assistant director of
10 the California Coastal Conservation Commission when, an
11 initiative out there.

12 I set this two-year commission up to do a plan to
13 save the coastal lands and waters of California. And so we
14 moved to San Francisco for a couple years, then came back,
15 could no longer afford to live where we were living on at
16 1511 Q Street.

17 We didn't have any money. And then we made some
18 money on a house at 9th and D that we fixed up Northeast and
19 made quite a bit of money on that. And took that money and
20 paid cash for the house we're in now, which was really,
21 really rough.

22 I mean, this neighborhood was unbelievably tough
23 at the time and most of the houses were vacant and boarded
24 up back then. And my wife and I strip paint for day for
25 years and worked like hell. And we have a very, very lovely

1 house now.

2 But we've been in --

3 CHAIRPERSON HOOD: Mr. Bien, I want to commend
4 you. You doing your lovely house and all of that. And I'm
5 glad that things work out for you.

6 But, Mr. Hanlon, we really need to talk about
7 zoning because I could talk about my house. Commissioner
8 Imamura could talk about his situation. Commissioner
9 Stidham would talk about it, Vice Chairman Miller. We all
10 could do that. We need help in this case.

11 So I would ask you to ask questions about it.
12 And, Mr. Bien, I'm glad all that worked out. Believe me.
13 But, Mr. Hanlon, please help us. Thank you.

14 MR. HANLON: I guess the long and the short of it
15 is, Mr. Bien, you've lived in this neighborhood for decades;
16 is that correct?

17 MR. BIEN: Yes.

18 MR. HANLON: Okay. Now, we've heard about the
19 EMS, the fire station, the police station moving permanently
20 or at least temporarily? Do you have concerns about that

21 MR. BIEN: Me, are you talking to?

22 MR. HANLON: Yes. Yes.

23 MR. BIEN: Not particularly. No. I mean, I think
24 we'll get fire coverage, and, I'm a little concerned about
25 the police not being here, but not terribly concerned.

1 Well, as long as it's temporary.

2 MR. HANLON: And not permanent? All right.

3 I'd like to ask Chris Otten, thank you, Mr. Bien.

4 I'd like to ask Chris Otten a couple of questions.

5 Chris, in your testimony you talked about, I'm
6 sorry, you talked about Special Use Zone for this property
7 rather than upzoning to M-10. Can you explain briefly what
8 you meant?

9 MR. HAWKESWORTH: Yeah. Again, I just got hip to
10 this recently and I talked to the Attorney General's Office
11 about it to see if it would even be applicable for this
12 site. And turns out it could be.

13 They've done it around the city, and I'm just sort
14 of learning about it. But, you know, for example, the
15 commission could require 70 percent of the gross floor area
16 of a zone, a Special Use Zone for this site to be dedicated
17 to affordable housing, which would be the social housing
18 model if the Zoning Commission wants to do that.

19 The Zoning Commission could guarantee, ensure the
20 affordability, the future affordability of this site so it
21 doesn't slip away as Commissioner Kensek talked about in the
22 future.

23 But I think the main point of that, to me,
24 resonates around the collaborative approach here versus just
25 like the take it or leave it from OP that we could actually

1 work with OP, Debbie will reach out to her list, get
2 everybody in the room, and, like, let's design a zone
3 together here to, you know, that that gets at all the issues
4 and still gets us the 150 affordable units.

5 You know I think it's interesting too that Sonnet
6 came up. That was a split zone there. They didn't do one
7 monolithic zone for the whole site. That's a, it's a split
8 zone.

9 And so I mean, I just don't understand why we
10 couldn't have a conversation around that at the beginning of
11 the process to talk about these type of potential
12 opportunities with zoning.

13 MR. HANLON: Can you explain in a little more
14 detail why community outreach is important before the zoning
15 application is filed rather than route 20 hours of Zoning
16 Commission hearings?

17 MR. HAWKESWORTH: I think I was going to say so we
18 don't have a 20-hour zoning hearing. I mean, we could have
19 come in together in supporting OP instead of fighting, or
20 just asking for outreach, right?

21 That's why, I mean, a lot of this a lot of the
22 zoning, the origins of zoning as I understood it, again, a
23 neutral tool. You could use it to do bad things. You could
24 use it to do good things. It's really up to the players
25 involved.

1 And, like, you know, but one of the purposes was
2 to get out in front with the community to say how do we want
3 to develop. And that just hasn't happened here. It
4 could've we could've talked about a Special Use Zone. We
5 could've talked about custom zoning. We could be
6 guaranteeing truly affordable housing here like they did at
7 Barry Farms or the Walter Reed zones or the, you know,
8 Hampton, the Howard North zone.

9 I mean, there's a bunch of different things we
10 could do here that unfortunately without that conversation
11 at the beginning. Now, we're here just like dealing with
12 MU-10 and having to, like, go pull our hair out.

13 And it's just not fun. It's not enjoyable, this
14 process. Also what about all the jargon? I mean, at the
15 beginning of the conversation like folks across the street,
16 folks in my building, they want to know what buy right
17 means, they want to know what Special Use zones are.

18 They want to know what these different zones might
19 be, MU-4, MU-6. That sort of stuff. The zoning handbook
20 could have been given out to all of V Street and 17th Street
21 by the Office of Planning.

22 Do you think that happened? No. I mean, anyway,
23 I just think this could all be solved if we go back to the
24 beginning and have OP do two community forums, at least, and
25 invite everybody and really get to a place where we're

1 coming back to the Commission together to make this a lot
2 easier.

3 MR. HANLON: So you would recommend that the
4 Commission dismiss this case, go back, and do community
5 engagement, and see whether they can work out a compromise
6 with the community; is that right?

7 MR. HAWKESWORTH: That's just that's a one
8 solution. Yep.

9 MR. HANLON: And do you believe that if OP did
10 that, if this case were dismissed and OP went back and did
11 community engagement about what the community wanted here,
12 there'd be less opposition to the zoning change here?

13 MR. HAWKESWORTH: I do believe that firmly. I
14 mean, look. The OP figured, I mean, I'm trying to think
15 about it. It's like OP figured, let's just try it. Let's
16 see if we can get NU-10 across.

17 When they saw the opposition, instead of actually
18 dealing with it in a real way, they come back with this sort
19 of knee jerk reaction of this text amendment that's going to
20 follow after the fact to be discussed later.

21 So it's like this disjointed unfair process again.
22 And by the way, OP never talked to anybody about this text
23 amendment that's supposed to happen, that's supposed to be
24 conjoined with this map amendment.

25 It's beyond silly. It's unfair, and it does break

1 with many Comp Plan policies that I'd be glad to put on the
2 record. But it's just, yes.

3 The bottom line is if they reached out, we work
4 together. I think we could come back together and get this
5 done and move forward quickly.

6 MR. HANLON: You mentioned that the FLUM
7 Amendment, Brianna Nadeau's FLUM Amendment, was discussed
8 the only thing you could recall to discuss at one ANC
9 Committee Meeting before it was voted on. Is that -- did I
10 understand your testimony correctly?

11 MR. HAWKESWORTH: Brianne Nadeau sent a staff of
12 hers to ANC 1C's Planning, Zoning, Transportation Committee
13 meeting in March of 2021, and threw the idea out at us.

14 They didn't get it. There was no votes on it or
15 anything. And then somehow magically, what they threw out
16 at us at this Committee meeting, which was only half the
17 site would be up zoned, up FLUM'd, then in May, a few weeks
18 later, like six weeks later, from the dais there was an
19 amendment introduced in the morning of the first vote on the
20 Comp Plan by Brianne Nadeau that said the whole site would
21 be up FLUM'd to high density.

22 There was no conversation about it. We didn't
23 talk about it during the council hearings in November of
24 2020. There was nothing. There was nothing in the years
25 all leading up to it. Yep. That's my testimony.

1 MR. HANLON: And, this committee meeting you spoke
2 about where she sent a staff, Ms. Nadeau sent a staffer,
3 about how many people were at that committee meeting?

4 MR. HAWKESWORTH: It was by Zoom. It was during,
5 COVID. So it was -- I do recall. I remember being startled
6 about how little it was probably, like, ten people, maybe.

7 MR. HANLON: Ten people, maybe. And I just want
8 to be clear. You don't know of any community discussion
9 with any community group at any point about upzoning the
10 back half of this property along V Street; is that correct?
11 Before this map amendment was filed?

12 MR. HAWKESWORTH: Nope.

13 MR. HANLON: No, you don't or you don't know?

14 MR. HAWKESWORTH: Oh, there was the diagram that
15 was showed to the community in March of 2021, by Brand
16 staffer showed half the site would be up FLUM'd. The site,
17 the portion of the site along U Street would be up FLUM'd to
18 high density, but the portion along V and on 17th was
19 untouched.

20 MR. HANLON: And you're not aware of any community
21 input to change the entire site in the FLUM amendment?

22 MR. HAWKESWORTH: I will say I did sign a letter,
23 with 80 others, a letter to Brianne Nadeau after that March,
24 sometime in April, I would say, suggesting that all of these
25 last-minute changes is inappropriate.

1 That we've had years of discussion, why are we
2 doing this at the last minute without any impact study or
3 anything, without a real conversation, but it got ignored.

4 MR. HANLON: Thank you, Chair Hood. I don't have
5 any more questions, Mr. Otten, and I don't have any more
6 questions for the other panelists.

7 CHAIRPERSON HOOD: Okay. Thank you. I was
8 sitting, taking note of the way this is going. I see that
9 the opposition parties all have questions for the
10 opposition.

11 So I don't know if it's, this is how you all plan
12 it, if, or whatever the case is, but I've never seen this
13 because I know where all the questions are either repetitive
14 or some of them have been irrelevant.

15 And I've been and I'm just saying this for the
16 record, but I know one thing about DC, people want to have a
17 right to speak.

18 Again, let's stay focused on the MU-4 to the MU-
19 10. So, again, I'm saying that so we can kind of nail it
20 down. We're doing better than today, I believe, than what
21 we had previously.

22 So let's help us stay focused. And I want to
23 commend again, those in opposition for the most part, about
24 your line of questioning. I think it's -- today has been
25 more beneficial in your line of questioning to help us see

1 it your way than we've had previously.

2 So let's stay to the zoning topics and some of the
3 issues.

4 All right. Ms. Schellin, can you call the next
5 five, please?

6 MS. SCHELLIN: So next, we have Barbara Meeker,
7 Bridget Honeycutt, Robin Diener, Doug Honeycutt, and Maria
8 Gillem. I believe that's five, Mr. Young.

9 CHAIRPERSON HOOD: Okay. And I do -- I am
10 looking, also, Mr. Otten is going to be providing something
11 that Ms. Feskanich had mentioned. So I'm looking for that
12 too, Mr. Otten. So hopefully you'll be providing that.

13 All right. So I'm going to go by the names that I
14 see here on -- the way I see them. Let me go with first
15 Barbara Meeker.

16 MS. MEEKER: Yes. Yes. Hi. Can you hear me?

17 CHAIRPERSON HOOD: Yes, we can.

18 MS. MEEKER: Okay. Good. Hi. My name is Barbara
19 Meeker. I live on R street Northwest, between 16th and
20 17th. This is about six blocks from the property at 17th
21 and U.

22 I have lived here for more than 30 years. First,
23 I want to thank Chairman Hood for his actions in providing
24 genuine community outreach on this issue. It has been a
25 long process requiring patience and I want to acknowledge

1 that I really appreciate the community interaction that
2 Chairman Hood, the other commission members, and their staff
3 have made possible.

4 I live just two blocks south of the edge of the
5 historic Strivers District. Although I am in Ward 2, not
6 Ward 1, the police and fire station at U Street are my
7 neighborhood services.

8 If I need police service or an ambulance, this is
9 the place I call. I do not want this facility moved away.
10 I often walk-up 17th Street to Florida Avenue, which takes
11 me right by the U Street police station.

12 The neighborhood I walk through is a particularly
13 lovely medium dense urban setting. A tall building here is
14 five or six stories high, about half the proposed height of
15 the rezoned area.

16 To walk up 17th Street and suddenly come upon a 10
17 or 12-story structure would be a shock. The proposed
18 rezoning is not, to my view, at all compatible with the
19 existing neighborhood nor with the plans of the Comp Plan to
20 preserve such neighborhoods.

21 I also want more affordable housing everywhere and
22 also in my neighborhood. That is I want more affordable
23 housing than would be provided by 30 percent of a large
24 structure with otherwise market rate that is unaffordable
25 housing.

1 The idea that any amount of affordable housing can
2 only be squeezed in if much more luxury housing is allowed
3 is to my mind a false premise. Forms of administration, for
4 example, social housing exist that could be used to achieve
5 this.

6 Finally, I do not want this property given away to
7 any private organization. This is city property and should
8 remain under the control of the city. I don't want to hear
9 that DC is incapable of managing a project that would meet
10 all of these goals that I've mentioned.

11 Well, we're just poor helpless politicians and
12 bureaucrats. We can't solve these problems. Our city
13 officials can manage such a project, and they should do it.
14 Thank you very much.

15 CHAIRPERSON HOOD: Thank you. If you could stick
16 around, we may have some questions for you.

17 MS. MEEKER: Okay.

18 CHAIRPERSON HOOD: Okay. Ms. Bridget Honeycutt?

19 MS. HUNNICUTT: Hi. I'm Bridget. I've lived in
20 this neighborhood for 20 years and not just this
21 neighborhood, but this one block. So square 150 directly
22 across the street from the police station and the fire
23 station.

24 And I guess I just you know, having lived here for
25 so many stages of life as a single person, young going out

1 to having two young children and raising them here. You
2 really get to know a neighborhood and the people within it.

3 And I guess I just like people to know that this
4 is a very special place and that that's kind of maybe why
5 there's so much opposition to a 12-story building coming.

6 I think the social connections between neighbors,
7 and across socioeconomic divides, across racial divides,
8 across cultural divides, our social connections here are
9 very strong.

10 So it's not like we just shovel each other's,
11 sidewalks, right? Like, we know when people have kids in
12 the hospital. We know when people get a new wheelchair and
13 they need help getting around.

14 It's very unusual, I think, for a lot of people in
15 DC that that are maybe for this to understand sort of that
16 historic preservation, the historic small row house
17 neighborhood feel.

18 I guarantee you; you ask almost anyone in our area
19 what the Sonnet is, and they won't know. They won't know.
20 And that makes perfect sense to me. I had to look it up.
21 We don't think of the Sonnet as our neighborhood. It's DC.

22 It's a small little row house area, and we look
23 out for each other. And I think when I don't even know if
24 this is in the thing that you need to the plan that you need
25 to listen to, but when it says historic row house

1 preservation, if that is part of your call, I hope that you
2 think about the beautiful lifestyles and life connections
3 that sort of come with that.

4 And I think when the pandemic happened, I really
5 saw how strong connected neighbors are what really help lift
6 and help care for people that have struggled with
7 intergenerational poverty.

8 So, you know, I saw this community, you know, our
9 neighborhood school is a Title 1 school, so it serves about
10 460 kids. It's a bilingual school and we had a lot of
11 families that have been thriving in this neighborhood for a
12 very long time, all of a sudden dealing with food scarcity.

13 And this neighborhood got together and we're all
14 doing mutual aid. So people were waiting in line for each
15 other when some families couldn't wait in food lines.

16 People were donating money who could donate money.
17 People were raising money that could raise money to help
18 keep those families in this area. That is the -- I mean, it
19 was the most amazing, beautiful thing and it's the reason
20 why my family is still here and we are very invested in many
21 ways.

22 So I am very pro-development as many people are
23 that are in opposition to this. I'm very pro-affordable
24 housing. I recognize this as an incredibly resource rich,
25 neighborhood. Our Title 1 school is incredible. They're

1 doing a great job.

2 Mary's Center is here. Sitar Arts is here. We
3 have a lot to offer, but the number one thing we have to
4 offer is community and this kind of beautiful support that
5 this small-scale neighborhood does foster and contribute to.

6 And I think that we really, I would hope -- I just
7 appreciate getting to share some of this. I think that the
8 people that participate in these tend to have more
9 flexibility. They tend to be older, but those people are
10 representing a lot more.

11 There's younger people, all different races, all
12 different socioeconomic status. So I just would like us to
13 think about making sure that we have the services.

14 At the same time that we're having this
15 conversation about developing this public land, our public
16 school doesn't have a middle school to go to. Our middle
17 schools are being told that they don't have a high school
18 that Jackson Reed, which is, where our middle school
19 (crosstalk) --

20 CHAIRPERSON HOOD: Ms. Hunnicutt?

21 MS. HUNNICUTT: Yeah.

22 CHAIRPERSON HOOD: Yeah. I know I'm going to Doug
23 Hunnicutt and I don't know if there's any relation, but I
24 will tell you that I appreciate all that about Jackson Reed.
25 All that's great.

1 I appreciate your compassion, but I want to hear
2 about the MU-4 and MU-10. I get it though. I hear your
3 passion. I get it. So I want to stick to the zoning.

4 So I get what you're saying. So I'm going to ask
5 give us your closing thought and I'll going to go to Doug
6 Hunnicutt after you.

7 MS. HUNNICUTT: Yeah. Yeah. So, I mean, M-4,
8 scaling all the way to the most aggressive, MU-10 is just so
9 out of place for this neighborhood. And to me, it should be
10 on, the Office of Planning and DPMED to really say, this is
11 why that's needed and to the onus should be on them to do
12 the basic due diligence.

13 This is primarily a one-story parking lot. It's a
14 two-acre thing. So they keep saying like, oh, you can't get
15 affordable housing unless you go all the way to MU-10.
16 That's a false thing. That's not true.

17 We've had other developers one block away come in
18 and say, you can't develop without going above the zoning,
19 Reed Row. And they ended up selling a lot and new
20 developers came in. They stayed within zoning and the it's
21 a scale that makes sense for this neighborhood. It's a
22 style that made sense with the neighborhood and they offered
23 a number of affordable housing units that actually went to
24 families that really needed it that might have been
25 displaced.

1 So I would just like the zoning to encourage more
2 development here, but not all the way to M-10. That's just
3 so unreasonable for this work area.

4 CHAIRPERSON HOOD: Thank you, Ms. Hunnicutt.
5 Let's go to Doug Hunnicutt.

6 MR. HUNNICUTT: Hi there. Thank you for letting
7 me speak for a minute. I will keep this brief. I'm
8 actually in the car at the moment.

9 So I just wanted to, give my opposition to the MU-
10 10. I think it's out of scale with the area that we're in,
11 the block. You know, people have -- I've heard another a
12 lot of talk about other buildings in the in the neighborhood
13 that are, you know, maybe MU-10 or higher number of stories.

14 But I think, when you talk about neighborhood,
15 it's sort of block by block in DC. I mean, it's not -- you
16 can't just define the neighborhood as the whole area, right?

17 There's going to be some tall buildings, some
18 short buildings, but the Square 150 and V Street, which are
19 on 17th and V, those are all low two-story, three-story
20 buildings.

21 And it's a historic neighborhood, and I'm pro-
22 development. I think everything -- that that block should
23 be redeveloped. I just think that it would be much higher
24 than it needs to be. So that's really all I have to say. I
25 appreciate the time and thank you very much.

1 CHAIRPERSON HOOD: Okay. Thank you.

2 Let's go to Marie Gillem? Maria Gillem, G-i-l-l-
3 e-m? If I'm pronouncing your name incorrectly.

4 Ms. Schellin? Ms. Gillem, you went back on mute.
5 You were unmuted.

6 Okay. Now you're unmuted. Let's see if we can
7 hear you.

8 Nope. We can't hear you. Maybe if you log you
9 may have to log off and come back on.

10 Ms. Schellin, leave Ms. Gillem up. The oh, that's
11 right. I have one more person. Ms. Robin Diener?

12 Ms. Robin Diener?

13 MS. DIENER: Hi, I'm sorry. Can you hear me?

14 CHAIRPERSON HOOD: Yes. We can hear you now. You
15 may begin.

16 MS. DIENER: I'm so sorry. I'm having terrible
17 technical problems. I can't get my video to work.

18 Anyway, thank you, everyone. Good evening. My
19 name is Robin Diener. I'm the director of the Library
20 Renaissance Project, which was founded in 2002 to protect
21 and promote the public interest in the library.

22 I'm a 32-year resident of DuPont Circle here. I
23 live about six blocks away from this property and I am not
24 now and not testifying under that aegis, but I'm a past
25 president of the DuPont Circle Citizens Association.

1 So I'll try to be brief. I've made a lot of notes
2 on my testimony. I hope I'll be coherent.

3 First of all, the Library of Renaissance Project,
4 I must say, is opposed to giving away public land. The
5 stewards of our city, that is to say our elected officials,
6 have, asked you, the Zoning Commission, to increase or up
7 zone the amount of building height and density that can
8 occur on this publicly owned site.

9 The sole purpose of the upzoning is to make the
10 property financially attractive to developers. And,
11 unfortunately, developers have no interest in the well-being
12 of our city.

13 They are profit based, and that's perfectly legal,
14 but it doesn't necessarily contribute to the best things for
15 the city. Then, after the upzoning, the city will declare
16 its surplus.

17 And in answer to Commissioner Harris's question
18 about whether or not the city had indicated it wanted to
19 sell this land, well, having a surplus hearing, which we did
20 in August of, I think, '22, clearly shows that intent.

21 And as to transparency and public inclusion, at
22 that hearing, DMPED had who conducted it, refused to answer
23 any questions and they said that they were only there to
24 take testimony and that that testimony would not be made
25 public or any report issued or any analysis given until such

1 time as a surplus resolution was delivered or legislation
2 for service was delivered to the council.

3 Okay. So we're against that. Then our second
4 point is creating affordable housing. That is the reason
5 given by the city for the upzoning, creating more affordable
6 housing. Because we do have an affordable housing crisis.

7 But this project, if upzoned, will create far more
8 market rate and luxury housing than affordable, and it would
9 need to do so in order to be profitable for the private
10 developer, in order to pencil out, as they say, in the loan
11 and banking industry.

12 But in fact, the same amount of affordability
13 could be achieved at the existing allowable height and
14 density, and several people testified to this. I'm sorry to
15 be repetitious, but that that is what we need to do. Is to
16 build it ourselves, perhaps under the social housing model,
17 which is currently in legislation before the DC Council and
18 Chairman Hood, I was so delighted to hear that you guys are
19 engaging with the Council on this.

20 That was my time did I hear? Did someone say
21 time?

22 MS. SCHELLIN: Yes.

23 CHAIRPERSON HOOD: Just keep going and give us
24 your closing thought. I haven't cut anybody off yet, but
25 share your thoughts.

1 MS. DIENER: Okay. I'll try to be really short.

2 So, essentially, just the way we build schools and
3 libraries is how we would build social housing for those who
4 maybe don't understand the economics. Because there's no
5 private part to it than the rent since it was come back, and
6 we use it to pay off the bond when you actually don't have
7 that ability with schools and libraries.

8 So this is actually better deal for the city when
9 we do it ourselves if we were to do it under that model.

10 And finally, my third point is that and this is
11 about historic preservation. If we only build to the
12 current allowable height, then we are able to preserve the U
13 Street historic feel.

14 So that current height is higher than what is
15 being utilized now on the site, but it's lower than the
16 proposed ask for zoning.

17 And I'd like to say that were we to do that, it
18 would create an architectural bridge to the surrounding
19 predominantly low-rise historically designated neighborhood.
20 Instead, it it's been proposed to block off the neighborhood
21 by building as tall as possible, depriving neighbors of
22 their light and air instead of creating what could really be
23 a highlight or a link to the historic neighborhood.

24 So as in short, our city continues to expand. We
25 seem to want to bring many, many more people here, and we're

1 going to run out of public land if we do that. So it seems
2 that if we're going to convert the purpose of this land, and
3 we want it to be not just public services, but also
4 affordable housing, let's at least keep it, to a suitable
5 and appropriate height and density.

6 And then I'll just note, you may have seen my
7 written testimony. I put in some notes about some questions
8 that were raised at earlier hearings.

9 I've been to all of them, and I really appreciate
10 the amount of time and consideration that ZC is giving. So,
11 in particular, I just wanted to say regarding Vice Chair
12 Miller's previous question about swing space between MPD and
13 the fire department.

14 We have been given a bunch of crazy stories over
15 the years and it's clear the city has something in mind, but
16 as you know, to date, they have not made clear what that is.
17 And that's an important part of this, and it's a shame that
18 the city can't just level with us. I think like, Chris
19 Otten was saying, let's get everything on the table, discuss
20 it.

21 CHAIRPERSON HOOD: Give us your -- give us your
22 closing thought, please.

23 MS. DIENER: Yeah. Well, that's it.

24 CHAIRPERSON HOOD: All right.

25 MS. DIENER: I wish the process, that it was more

1 inclusive, more open and that begins earlier before
2 everything is set in stone would be greatly appreciated.

3 And then as Chris said, we could all come in
4 support of these projects instead of feeling like it's being
5 shoved down our throats.

6 CHAIRPERSON HOOD: Okay.

7 MS. DIENER: Thank you very much.

8 CHAIRPERSON HOOD: Thank you.

9 CHAIRPERSON HOOD: Thank you. Let's go to Marie
10 Gillem.

11 Ms. Gillem, are you ready? Marie Gillum?

12 Ms. Schelling, let's leave Ms. Gillem up, or maybe
13 they need to -- Ms. Gillem, you all may -- Marie Gillem, you
14 may need to log off and come back on and we'll bring you
15 right back up.

16 All right. I think I've gotten everybody in this
17 panel.

18 Commissioners, any questions of anybody on this
19 panel?

20 Commissioner Imamura, Commissioner Stidham and
21 Vice Chair? No.

22 VICE CHAIR MILLER: Thank you, each of you, for
23 your testimony.

24 CHAIRPERSON HOOD: Okay. I have no questions
25 either.

1 Let's go to Office of Planning. Any questions for
2 this panel?

3 MR. RITTING: We don't have any questions. Thank
4 you.

5 CHAIRPERSON HOOD: Okay. Chair Harris, any
6 questions for this panel?

7 MS. HARRIS: For Bridget Hunnicutt, what is it
8 about residents of a higher density building that would
9 impact the community dynamics you talk about?

10 MS. HUNNICUTT: What I'm concerned about is that
11 higher density. We have a lot of affordable housing in this
12 little area. We need a lot more. But what happens is if
13 you don't have services and a holistic approach to building
14 a community, the most vulnerable suffer.

15 And if you don't plan having a good pipeline of
16 education when all of our schools are crowded and we're
17 being told that there's no middle school for our kids to be
18 able to go to and to be able to walk in the neighborhood or
19 get to safely and easily. And that the high school, the
20 only high school option is far away, you start having kids
21 and families that have social connections that are really
22 tight, break up and it's starting to happen in our community
23 because we don't have a middle school in 6th grade.

24 So then you see what starts to happen, especially
25 the most vulnerable kids among them. When families aren't

1 moving because of affordable housing, they actually
2 oftentimes have affordable housing in our area, but what
3 they don't have is a middle school that they feel
4 comfortable with their child going to.

5 So they get disbanded or they get -- so oftentimes
6 that that's what's happening. So if you keep building
7 without building holistically and thinking about health and
8 other things, which being connected, seeing the sunrise,
9 seeing the seeing the moonlight, seeing the rainbow
10 occasionally, it doesn't have to be a full view, but being
11 able to see those things occasionally and being connected to
12 the cycles of life and rhythms of life, that does impact
13 health.

14 And like, the ANC member was saying, most of the
15 residents on V street are housebound. The one thing they do
16 is sit on their patio, and they will be forever in a, in a
17 shadow of this of this building.

18 So those things, they do matter, health, education
19 services, and so giving away public lands and developing
20 without any impact studies or thought about these things
21 really can put our most vulnerable at risk.

22 MS. HARRIS: Okay. That didn't really answer my
23 question, but that's fine.

24 Doug Hunnicutt, can you tell me, did you say you
25 live on Seaton Place?

1 MR. HUNNICUTT: No. I live on 17th Street
2 directly across from the development.

3 MS. HARRIS: Okay. Would you say that that's part
4 of the neighborhood? Because you did mention your
5 definition of neighborhood is block by block. So isn't that
6 a block?

7 MS. HUNNICUTT: No. No. It's, I mean, we're
8 right across the street from it. So, I mean, I'm just say I
9 I'm just saying you can't classify a neighborhood. There's
10 no there's no exact definition of a neighborhood.

11 So, like, you said the Sonnet building is that on
12 U street is, I don't really consider that part of the
13 neighborhood. That's 14th and U. That's a different --
14 we're talking Adams Morgan here. This is that's like U
15 Street or 14th Street Corridor.

16 You know, it's kind of it's different. So but,
17 yeah, I mean, I can consider everything part of the
18 neighborhood. You know?

19 MS. HARRIS: So what's your definition of
20 neighborhood?

21 MR. HUNNICUTT: I'm just saying in DC, it seems to
22 me that the neighborhood, as far as density goes, it goes
23 block by block. So there are blocks that have (audio
24 cutout).

25 MS. HARRIS: Okay. Those are all the questions I

1 have.

2 CHAIRPERSON HOOD: ANC 2B. Do we have Zach Adams
3 or Meg Roggensack?

4 Okay. Let's go to Randy Jones.

5 MR. JONES: Hi. No questions. Thank you.

6 CHAIRPERSON HOOD: Let's go to Gregory Adams,
7 Black Neighbors.

8 MR. ADAMS: Nothing, thank you.

9 CHAIRPERSON HOOD: Okay. Thank you.

10 Let's go to the Rochelle Apartments, Deborah Akel.

11 MS. AKEL: Hi. Chair Hood, may I just ask a quick
12 question of you? Am I allowed to ask questions of OP or
13 not?

14 CHAIRPERSON HOOD: Not at this time.

15 MS. AKEL: Not at this time. Okay. Fine. Then I
16 just have two or three questions of our Ms. Diener, if she's
17 still with us.

18 CHAIRPERSON HOOD: Right. What you're doing --
19 let me specify that, Ms. Akel, so everyone knows what to
20 say.

21 MS. AKEL: Sure.

22 CHAIRPERSON HOOD: We just had a panel, and this
23 is for everybody, not just Ms. Akel. We just had a panel,
24 and I'm going through the parties in opposition to be able
25 to ask those who just testified, this last panel, in a cross

1 examination of them in, which Ms. Akel is getting ready to
2 do.

3 So she's looking for Ms. Diener. So Ms. Diener?

4 Ms. Akel, go ahead and ask your question.

5 MS. AKEL: Yeah. Thank you, Chair Hood. I asked
6 because it's an article has come to light since we had an
7 opportunity to cross examine OP about a development in Shaw
8 that OP was involved with, which was almost a 100 percent
9 affordable housing.

10 The mayor just cut a ribbon on it, and it's really
11 relevant to this conversation. So I just wanted to have the
12 opportunity to bring it up. That's fine.

13 Ms. Diener, you are affiliated with DC Public
14 Library? I know you're not speaking on their behalf, but
15 can you talk about, because a lot of the testimony in favor
16 of this has mentioned a library as part of this development,
17 and I wanted you to have a chance to tell the Commission
18 what you might know about DCPL's intention on that.

19 MS. DIENER: Right. Well, thanks for asking that.
20 Yeah. That's a little bit more of my expertise. And I can
21 tell you that people in DuPont Circle area have long asked
22 for a library, but it was considered -- the restrictions
23 that the library system had put on where libraries are
24 located, they had to be at least a mile apart from each
25 other.

1 And there are four libraries near to DuPont
2 Circle, which made it not possible, and including U Street,
3 which is a part of that. But in the Comp Plan, it was
4 changed to three quarters of a mile, and I think it was not
5 done by the library, but rather by forces that wanted this
6 to occur.

7 Anyway, I don't know that we're absolutely sure.
8 But now it's possible under the rules for a library to be
9 built here, and I know the neighborhood would love it.

10 However, emerging from COVID, the DC Public
11 Library has said they are very worried about building any
12 new libraries in the near future because the use of, you
13 know, what they call the gate at the branch libraries.

14 Now MLK library is an exception, but the branch
15 libraries have not come back strongly yet as much as they
16 would like, to justify, you know, the cost of operating our
17 public libraries.

18 The hope is that they will in time, but so far,
19 they haven't. And the director of the library, Richard
20 Reyes-Gavilan, has said publicly that he's not interested in
21 considering any new libraries at this time.

22 However, they did put \$50,000 in their request --
23 oh, I think it was I don't know if it was last year or if
24 it's in a request now. They are going to look at a small
25 study of whether or not a library would be viable there.

1 MS. AKEL: I'm glad somebody's doing studies.

2 Thanks.

3 Another question, about the DMPED meeting, the one
4 and only meeting, public meeting that DMPED had with the
5 community. Both of us were there. Do you recall of the
6 people that attended that meeting, what percentage would you
7 say was in favor and what percentage opposed?

8 MS. DIENER: Oh, gosh. I'm not positive. I would
9 say about three quarters opposed, maybe two thirds. It
10 wasn't that big of a meeting, and I think that a lot more
11 testimony was delivered, in writing online, but I don't
12 know. I haven't seen it --

13 MS. AKEL: Okay.

14 MS. DIENER: It was a small turnout, but I think
15 it was in August, and it was just not promoted.

16 MS. AKEL: Okay. Yeah. And then last question.
17 Are you aware, and I ask you this because you're active in
18 the community, are you aware of Parcel 42 in Shaw that just
19 had a ribbon cutting in January? It's right near the Shaw
20 Metro, 108 affordable homes and 98 percent of this is
21 affordable. The mayor did an event and, that --

22 CHAIRPERSON HOOD: Excuse me. I need I need to
23 know the relevance.

24 MS. AKEL: Okay. Yeah. I'm sorry. The relevance
25 is the process that OP used for this development could be

1 used here, and I'm not -- that's why I wanted to ask OP why
2 they couldn't do this here.

3 Not only, the fact that it's almost a 100 percent
4 affordable, but the RFP process was unique. They really
5 engaged the community and they're they even call it our, o-
6 u-r RFP process. And this model --

7 CHAIRPERSON HOOD: Okay. That's a question --

8 MS. AKEL: So I just --

9 CHAIRPERSON HOOD: That's a question -- let me
10 finish. That's a question you will ask OP.

11 MS. AKEL: Okay. Thank you. Thank you. Thank
12 you. Thank you very much.

13 CHAIRPERSON HOOD: Ms. Schellin, somebody make
14 sure that we ask OP that question, because Ms. Diener is not
15 the correct person to ask that question too.

16 Okay. That's it. No more questions. Thank you.

17 CHAIRPERSON HOOD: All right. Thank you.

18 All right. Let's go to Ms. Feskanich, any cross
19 examination of this panel?

20 MS. FESKANICH: Yes. thank you, Chair Hood.

21 I liked to ask Ms. Hunnicutt -- I appreciate your
22 testimony on the, giving the human perspective of this up
23 zoning project. It's not just words. It's actually going
24 to affect human lives and livelihoods.

25 Do you, from your perspective, do you think that

1 this MU-10 proposal actually addresses this human
2 perspective at all and, you know, the whole neighborhood
3 approach that you talked about?

4 MS. HUNNICUTT: No. I think that's my biggest
5 concern. As I said, I'm pro-development and pro-affordable
6 housing, but I think the approach that they've taken instead
7 of reaching out to the community and saying, hey, what do
8 you need here? How can we work together to make this
9 fantastic? It's let's go all the way to the most aggressive
10 zoning and let's not have any information to back up how it
11 will impact any of it while simultaneously no one seems to
12 be aware that there's literally education needs that are not
13 being met existing already.

14 So if we're going to give away the only plot of
15 land, I know of that could possibly service a school, and
16 nobody's even talking about using it for that, like, when
17 they're telling us that there aren't other options.

18 I mean, it's just things like that are not being
19 discussed, and it's very concerning. To me, the onus should
20 be on them to do their basic due diligence to say how they
21 can support all the services that this new development at
22 that scale would bring.

23 MS. FESKANICH: And as a corollary to that, it
24 sounds like you've been very engaged with the public schools
25 in DC. Have you ever -- have you or any of the other

1 parents ever been told about or presented with any kind of
2 master plan for our public lands on how they would
3 accommodate community needs?

4 MS. HUNNICUTT: No. Right now, they're just
5 having discussions about how the schools are, in our area
6 for our kids are all overcrowded, and they're going to have
7 to change the theaters and they're trying to come up with
8 something, but it's not -- they're not considering this land
9 or anything close in our neighborhood that can make it for
10 young children.

11 MS. FESKANICH: So there's -- so you haven't
12 gotten any idea that there's a master plan on how to use our
13 public land?

14 MS. HUNNICUTT: No. No. That it seems that
15 that's in there pretty much isn't it (crosstalk) --

16 CHAIRPERSON HOOD: Let me interrupt. Let me
17 interrupt. We talked about schools. I think have we talked
18 about the subway? Have we talked about monumental, the
19 basketball? Basketball? We're talking about everything
20 under the sun.

21 It's time now for us to talk about zoning, which
22 helps my colleagues and I. Okay? I appreciate all of the
23 conversation. The issue is going to go back to just about
24 zoning. All right?

25 So you may continue, Ms. Feskanich, but I can tell

1 you this is not helpful. We're going down there, but we
2 started off doing all right. But now we're getting
3 repetitive.

4 And if it's not repetitive, it's not germane to
5 what our decision is, our decision-making process is. So,
6 anyway, keep going.

7 MS. FESKANICH: Okay. Yeah. The only reason I
8 brought it up was because this parcel is public property.
9 And I have one question for Ms. Diener.

10 In your testimony, you mentioned something about
11 an architectural bridge or link to the historic district.
12 Could you could you elaborate on that a little bit? I'm not
13 quite sure what you what you meant by that.

14 MS. DIENER: Yeah. It's simply by building a
15 little bit lower, then we're not cutting off the historic
16 district from view, from being readily seen and visited.

17 Building a giant building, your kind of building a
18 wall, walling it off.

19 MS. FESKANICH: Okay. Thank you. I don't have
20 any other questions, Chair Hood.

21 CHAIRPERSON HOOD: Okay. Let me try to just
22 refocus everybody again. I think I have it written down
23 because I was trying to think of what actually am I
24 listening to.

25 The determined question in this case is whether

1 the MU-10 zone is consistent with the Comprehensive Plan. I
2 just want to remind everybody is to stay focused on the
3 questions in their testimony. That question in their
4 testimony.

5 The determinative question in this case is whether
6 the MU-10 zone is consistent with the Comp Plan and what our
7 decision-making is.

8 All the rest of that and let me just ask my other
9 colleagues, because here's what I've been just, has just
10 been mentioned to me, and let me just read.

11 We have 118 witnesses. We've only had 26. And
12 we're meeting again February 26th, and we're probably going
13 to still be in right here where we are.

14 So I don't know. We're going to keep moving
15 through, but I, you know, I want us to kind of stay focused.
16 We started off getting there, but now we started talking
17 about schools, the metro, the wizards.

18 We're getting everything in the Shaw, whatever was
19 announced today. You know, we're starting to bring too much
20 into this and we just need to stick with this. Those others
21 will take themselves.

22 My colleagues want to say anything on that, or
23 we're good?

24 VICE CHAIR MILLER: I would second all of your
25 comments, Mr. Chairman. And it's not just the substances

1 off what we're talking about, in terms of zoning, it's that
2 the questioners are -- the parties and many of the parties,
3 not all, but some of the parties in opposition continue to
4 testify, use the cross-examination period to instead just
5 continue to do their same testimony over and over again,
6 which we haven't even gotten to their parties in opposition
7 testimony.

8 But they've managed to do it anyway every time
9 they ask a question, almost every time they, some of them
10 have asked questions.

11 So I think not only should they stay in point with
12 zoning, Mr. Chairman, they also should not be redundant and
13 not use the cross-examination process to just give their
14 additional testimony.

15 CHAIRPERSON HOOD: Okay. And let me just say
16 this. We've been doing this a long time. We know how that
17 goes. Okay. We know how the cross examination goes.

18 Again, we're just asking you because we know that
19 you all have a problem with engagement. We know that you
20 have a problem with the density. I mean, it didn't -- I
21 learned that the first night, and I learned that when I was
22 reading.

23 I don't need that 300 times every time. We get
24 that. We get that. We retain stuff. Help us to continue
25 to help those and I want to make sure we afford those who

1 have not had a chance or opportunity because here's what
2 happens during the day, Ms. Schellin gives me messages.
3 This group is mad because they had to wait so long. And
4 then this other group is mad because one person says I'm
5 cutting them off.

6 It ain't no winning here, so -- but we're going to
7 make the decision. But I just ask you all to be considerate
8 of your -- I hear community is an overwhelming theme here.
9 So be considerate of your other community members as you're
10 doing this so they can get in and not have to come see me
11 and the Commission every week.

12 So let's work together, you all.

13 All right, Ms. Schellin, where am I?

14 MS. SCHELLIN: I believe, Ms., Feskanich is next
15 to cross, I believe. Who was next to cross?

16 CHAIRPERSON HOOD: Ms. Feskanich? She just did --

17 MS. SCHELLIN: After Ms. Akel. I believe Ms. Akel
18 just finished.

19 CHAIRPERSON HOOD: Ms. Akel, no, Ms. Feskanich
20 just finished.

21 MS. SCHELLIN: Oh, she just finished. Okay. So
22 Mr. Hanlon.

23 CHAIRPERSON HOOD: But bring Ms. Feskanich, I
24 think she did just finish, but I want to make sure.

25 Yeah, she did. She did. If she didn't --

1 MS. SCHELLIN: Okay. Mr. Hanlon's already up and
2 he's got his mute off, he's ready to go.

3 CHAIRPERSON HOOD: Mr. Hanlon, I'm going to stop
4 asking you do you have any questions? Mr. Hanlon, you may
5 proceed.

6 MR. HANLON: It's the first time I was going to
7 say I didn't have any questions.

8 CHAIRPERSON HOOD: Oh, I mean, I spoke too soon.

9 MR. HANLON: I'll have just a quick one for
10 Barbara Meeker and Robin Diener.

11 Each of you. You've offered your opinions that
12 this upzoning to MU-10 is inconsistent with the size and
13 scale with the neighborhood. I simply want to ask, Barbara
14 Meeker, how long have you lived in this neighborhood with
15 your husband?

16 MS. MEEKER: More than 30 years. About, we moved
17 here in 1989.

18 MR. HANLON: Okay, thank you. Robin Diener,
19 you've also offered your opinion that this project up zoning
20 to MU-10 is inconsistent with the scale and size of the
21 neighborhood and neighborhood in general. How long have you
22 and your husband lived here?

23 MS. DIENER: In this in this location?

24 MR. HANLON: Thank you.

25 MS. DIENER: Can you hear me?

1 MR. HANLON: Yes.

2 MS. DIENER: Okay. Great.

3 MR. HANLON: Thank you, Chair Hood, those are my
4 questions.

5 CHAIRPERSON HOOD: Mr. Hanlon, help me understand.
6 So those questions you just asked, what are you trying to
7 show me?

8 MR. HANLON: Well, when somebody testifies in
9 their opinion that it's that the size and scale of an MU-10
10 is inconsistent with the nature and character of the
11 neighborhood in terms of size and density, yeah, somebody
12 could testify to that who's lived in the neighborhood three
13 months and somebody else could testify to that who's lived
14 in the neighborhood 30 years.

15 And I can't, you know, I can't tell you, Chair
16 Hood, how you should weigh those testimonies. But it seems
17 to me that one who has lived here a very long time might
18 have a better feel for whether this type of building is
19 inconsistent with the neighborhood.

20 It goes to the weight of their testimony, not to
21 the admissibility.

22 CHAIRPERSON HOOD: So, Mr. Hanlon, I -- and I
23 don't want to go because I just, I'm getting ready to go
24 because now I said, but that what you're saying is debatable
25 because I've had counsel, not my current counsel, since I've

1 been on the Zoning Commission who told me character is not
2 part of my Zoning Code, which I think character is.

3 But, you know, it's all about interpretation, but
4 longevity is as, you know, it's been said, has its place.
5 But so whether you're there three months or whether you're
6 there 30 years, and I agree.

7 Somebody who's very, I mean, the person three
8 months has just as much right as someone who's been there
9 for 30 years. And I've lived in the city my whole year, so
10 I'm just trying to understand the relevance of that question
11 that you're trying to get us to ascertain.

12 That that was all. That was all. We'll leave it
13 at that for now.

14 All right. Ms. Schellin, oh, wait a minute.
15 Marie Gillem, were you able to come up? Can we hear you
16 now?

17 So, Marie Gillem, it looks like you're coming off
18 of mute, but we can't hear you. So we're going to take you
19 down. Why don't you cut your computer off and reboot and
20 then you'll probably be in there. Let's bring them back up,
21 Ms. Schellin and --

22 MR. YOUNG: Mr. Chairman, I have a quick
23 suggestion for her.

24 CHAIRPERSON HOOD: Okay.

25 MR. YOUNG: It seems like she's taking herself off

1 mute.

2 Ms. Gillem, there's an audio and video tab. If
3 you go to that, you can switch which microphone is selected.
4 So I think you just have the wrong microphone selected, and
5 that's it. Thank you.

6 CHAIRPERSON HOOD: Okay. Let's leave her up, Mr.
7 Young, she can go on our next panel.

8 Ms. Schellin, and Mr. Young, can we bring up our
9 next panel? And thank this panel. We appreciate your,
10 testimony.

11 MS. SCHELLIN: Sure. As soon as Mr. Young gets
12 everybody down, I will call the next --

13 CHAIRPERSON HOOD: Except for Marie Gillem.

14 MS. SCHELLIN: Right.

15 CHAIRPERSON HOOD: Let's leave her.

16 MS. SCHELLIN: He's --

17 CHAIRPERSON HOOD: Let's bring five more up, but
18 let's leave her.

19 MS. SCHELLIN: Right. And if Maria Gillem wants
20 to speak at some point after she tries changing her audio,
21 her microphone, and once she speaks, we'll know she's
22 workable.

23 But I'll go ahead and call up four more.

24 CHAIRPERSON HOOD: Okay.

25 MS. SCHELLIN: So moving to the list, we have,

1 Robert Leardo or Leardo, Parisa Norouzi, Andria Chatmon,
2 Micheal Shelby. And I believe that was four more.

3 Are they all there, Mr. Young.

4 MR. YOUNG: I don't see Mr. Shelby.

5 MS. SCHELLIN: Okay. So I'll call one more. How
6 about Scott Kuchenmeister? And I'm sure I probably messed
7 that up.

8 CHAIRPERSON HOOD: Okay. I'm going to go by the
9 names that I see on my screen. So forgive me if it's not
10 the name that Ms. Schellin called.

11 Andrea Chatmon.

12 MS. CHATMON: Thank you, Mr. Hood, Chairman Hood.
13 My name is Andria Chatmon. I am a housing organizer at
14 Empower DC, and I'm testifying in opposition to the proposed
15 map amendment to up zone 1617 U Street from MU-4 to MU-10.

16 I ask that the Zoning Commission postpone or
17 reject this application.

18 Firstly, the proposal is misaligned with community
19 engagement requirements articulated in the Zoning
20 Commission's Racial Equity Tool and in the mayor's Office of
21 Racial Equity Meaningful Community Engagement Resource Guide
22 for District government agency personnel of summer 2022.

23 In addition, the proposal, which paves the way for
24 more high-cost luxury housing, is misaligned with the racial
25 equity goals mentioned in OP's comprehensive plan and the

1 Racial Equity Tool.

2 These goals include creating affordable housing,
3 preventing displacement, and expanding access to
4 opportunities for disadvantaged residents. OP, DMPED, DC
5 council members, and other relevant officials proposing this
6 change failed to conduct meaningful outreach with impacted
7 residents, such as canvassing, creating flyers, and language
8 accessible hearing notices.

9 Nor was there any outreach conducted to black
10 residents in churches and other civic associations. As
11 stated in a letter submitted to the case record by Freedom
12 Baptist Church, a predominantly black church nearest the
13 site, the congregation would not have even known about the
14 proposal were it not for Empower DC's outreach.

15 The same resident's name, Deborah Akel, also
16 appears in the DMPED community outreach log. Ms. Akel was
17 compelled to arrange community meetings with OP for her and
18 her neighbors because OP did not take the initiative to do
19 so.

20 There were no specific meetings to 1617 U Street
21 arranged by OP to discuss the proposal, explain jargon, or
22 outline implications of the changes. Making impactful
23 decisions for communities rather than with them is not in
24 alignment with the Zoning Commission's racial equity
25 strategies.

1 The 2024 mayor's Office of Racial Equity District
2 wide Racial Equity Action Plan or REAP mentions that OP is
3 responsible for leading the development and implementation
4 of district wide and agency level REAP's.

5 The Racial Equity Tool itself even refers to
6 applicants to address OP when they have, quote, questions
7 about their outreach and engagement. Despite this
8 leadership role, OP did the bare minimum for community
9 engagement in this case.

10 The proposal also fails to consider DC's
11 affordable housing crisis that is prompting the displacement
12 of low income black and brown families. In Ward 1, the
13 median family income for black households is \$49,148, and
14 affordable annual rent for that income would be up to
15 \$14,744.

16 Yet on U Street, current annual rents for one-
17 bedroom units are \$38,304, over \$23,000 more than what most
18 Ward 1 black families can afford.

19 At the same time, Census tracts are showing that,
20 in the area around U Street is only 3 percent black. OP
21 mentions that upzoning the site would lead to more housing
22 opportunities.

23 And while DC law regarding public land requires
24 the creation of housing at affordability rates and income
25 limits that exceed IZ and IZ plus, these units are still

1 going to be the minority of the total number of units on the
2 site.

3 This does not effectively meet the housing needs
4 of majority black and brown low-income folks in the
5 District.

6 I urge the Zoning Commission and OP to instead
7 consider the use of 1617 U Street for social housing.
8 Social housing offers deeply affordable housing with
9 essential environmental protections that would allow more
10 low-income residents to stay in DC.

11 DC's lowest income residents would never pay more
12 than 30 percent of their income, relieving affordability
13 pressures.

14 In conclusion, I believe the Zoning Commission
15 should postpone and/or reject this map change because OP has
16 disregarded steps of meaningful community engagement.

17 Moreover, upzoning the site and facilitating the
18 creation of high-rise luxury units will not address past and
19 present harms of displacement that impact black and brown
20 low-income communities.

21 Finally, I ask the Zoning Commission, OP, and the
22 District as a whole to strengthen its commitment to the
23 communities it serves and the housing needs of its lowest
24 income residents by considering social housing on the site.
25 Thank you.

1 CHAIRPERSON HOOD: Thank you, Ms. Chatmon. If you
2 can hold around, stick around, we may have some questions.

3 Let me try, Marie Gillem. I see that you're off
4 mute. Can we hear you now?

5 Okay. Let's keep right on going. Let's go to Ms.
6 Norouzi.

7 MS. NOROUZI: Good evening, Chairman Hood, and
8 Commissioners. My name is Parisa Norouzi, and for the last
9 20 years, I've led the citywide grassroots organization
10 Empower DC, which has worked with residents across the
11 District to advance housing justice, equitable development,
12 environmental justice, and racial equity.

13 The site at 17th and U, the subject case,
14 represents one of the last opportunities to use public land
15 to benefit the public along the historic U Street corridor.

16 Empower DC has retained offices in this area at
17 1419 V Street Northwest since our founding in 2003. We have
18 seen the development of the area contribute to the loss of
19 affordable rental housing, the displacement of black
20 residents, and increased costs of commercial rents causing
21 hardship to small businesses.

22 We oppose the upzoning of this parcel at this
23 time. As this is a public property, its future use is
24 subject to approval by the DC Council. The DC Council has
25 not yet held a public hearing or a vote on the surplus and

1 disposition of the site.

2 The zoning change should not take place unless and
3 until the DC Council approves surplus disposition and if the
4 Land Disposition Agreement, approved by the Council calls
5 for a use, which requires the zoning change.

6 Now, I know that that might not be the standard
7 practice of the Zoning Commission, perhaps it is typical for
8 you to hear cases and make decisions on cases when put forth
9 to you by the Office of Planning, but I fear that the Office
10 of Planning and DMPED is making the Zoning Commission upon
11 in a politically motivated effort to define and justify
12 future development and to do so without following the
13 protocols that are in place.

14 The issue of surplus disposition is one that is
15 really close to my heart. You all may know that I have
16 worked, for instance, on a piece of public land at Crummell
17 School in Ivy City for over 20 years of my life, and I've
18 seen how these, the agencies involved have time and time
19 again ignored the community and the community's, you know,
20 visionary genius about what their communities need and have
21 pushed through, whether its developer driven or, you know,
22 other interest for public sites.

23 If the Zoning Commission, for instance, had been
24 asked by the Office of Planning to up zone the Cromwell
25 School site, and if the Zoning Commission had taken that

1 case and done it, it would have been for not because what we
2 were able to do, what the public was able to do when that
3 case came to the DC Council was, prevent the surplus
4 disposition and ultimately, encourage the city to use to
5 retain that land for public land.

6 And so when I look at a piece of land like this, I
7 know it may not be, again, your typical, you know, thing to
8 think about, but I'm thinking of this in the context of our
9 work and the way that these decisions play out.

10 I am also very passionate about 10801, which is
11 the statute in the dis in the, DC Code that requires that
12 community hearing on whether a piece of land is surplus or
13 not because it was because of Empower DC's efforts in a
14 campaign that we had called the People's Property Campaign
15 that that requirement even exists.

16 And, unfortunately, we've seen that requirement
17 be, you know, really tokenized and done -- carried out not
18 in good faith. So there's times when DMPED is holding these
19 hearings and there's very few people in the room, and
20 there's really not a real conversation taking place.

21 The reason why that's at issue here is because
22 that hearing is the only hearing, the only, you know, real
23 community engagement that's being, lifted up in this case by
24 Office of Planning as the community engagement that took
25 place.

1 So I, will summarize to say that I don't (audio
2 dropout) Office of Planning has failed to do their jobs
3 properly, but I do believe it's imperative that the Zoning
4 Commission set the tone for the standard of community
5 engagement that is required, especially given the new Racial
6 Equity Tool, and that it not allow itself to, you know, fall
7 prey to what DMPED is doing, which is seeking a premature
8 approval of a zoning change in order to later justify a
9 development decision or make it seem as a fait accompli. So
10 we do urge you to postpone or vote no.

11 CHAIRPERSON HOOD: Okay. Thank you.

12 Again, if you could stick around, we probably have
13 some questions for you.

14 Ms. Marie Gillem, are we going to get you tonight
15 or? Maybe you may want to call in because it seems to be a
16 problem.

17 You may want to call in, and I'm sure you call
18 202-727-0789, they can help you, call in.

19 Okay. Let's go to Rob Leardo. Mr. Lerdo, I think
20 that's how you pronounce it. Hopefully, I didn't mess your
21 name up.

22 MR. LEARDO: Can you hear me?

23 CHAIRPERSON HOOD: Yes, I can hear you. Go right
24 ahead so we can hear you.

25 MR. LEARDO: Okay. Maybe there's no need to

1 really go into because it's what many witnesses have
2 discussed that there are no real impact studies done, no
3 real due diligence or if any due any diligence on meeting
4 the law's requirements for anti-displacement studies,
5 environmental studies, and the like.

6 I even think I remember where one development had
7 just simply a blank page basically for environmental
8 studies. So this is really developer driven from the top
9 down in the Office of Planning. It's driven by them. It's
10 not supply and demand. It's driven by them what they want
11 to develop, and then they get, oh, huge pieces of millions
12 and millions of dollars' worth of public property,
13 government subsidies, tax breaks, et cetera, to build luxury
14 housing that not it's not supply and demand, it doesn't
15 fulfill any affordable housing need.

16 A lot of these units remain empty. They get a tax
17 rate for remaining empty, and it's the way business is being
18 done in this town. And we think that, of course, it would
19 be nice to stop it, but usually that only happens when we
20 get a bunch of very dedicated advocates that really get the
21 ear of the different regulatory agencies, especially
22 sometimes the ANCs and change things.

23 Now, to my memory, there have only been maybe four
24 cases where in the past 40 years where developers did not
25 get everything they wanted.

1 One recent one was Crummell and another was in the
2 nineties. Mendelson himself led it before he was elected to
3 the Council. Another was the Brookings Institution in the
4 1980's, and that's just about I remember. They got a little
5 bit on another project. I forget what it was.

6 So out of all the hundreds and millions of dollars
7 given to the developers, it looks like, to my knowledge,
8 really, the only real public input has been on these three
9 or four projects.

10 For example, the Masonic Temple over in 2B, talked
11 about, you know, the fact that it was did not meet certain
12 legal requirements and that we got a stop work order for it
13 under the DuPont East Citizens Group, but they went ahead
14 anyway.

15 And the ANC was quoted as saying, we don't need to
16 enforce the laws. Yeah. We have -- it's our job to change
17 policy for developers. So, this is, you know, business as
18 usual and even developers themselves have said, in order to
19 do business in the District, we have to go through a dog and
20 pony show before getting what we want, something to this
21 effect.

22 So these comments reflect the reality of current
23 and long-held practices. Now we, of course, want, the U
24 street site to be used for MU-4, zone M-4 for affordable
25 housing. We've seen that communities can build affordable

1 housing; the city can build affordable housing. We just
2 have those 100 plus units in Shaw of affordable housing.

3 It is a myth, I believe, that developers need to
4 build a lot of luxury housing in order to make up for the
5 profit they would lose for these affordable units.

6 I think that's a myth. I think that needs to be
7 looked into. They need to do a study on that. They need to
8 do a study. We need to find out how many units are being
9 unoccupied, left alone. I mean, it's a far-fetched analogy,
10 but, you know, they do that in China. They build massive
11 cities that no one occupies and it's all done by the
12 government in cahoots.

13 Here, it's done by the government in cahoots with
14 the developers.

15 CHAIRPERSON HOOD: Time.

16 MR. LEARDO: No real public input at the beginning
17 too. It's just like they're giving from above. And I
18 really -- I don't need to belabor these points. I think
19 everybody's gone through them and we see that it is an
20 outsized project for the neighborhood.

21 Just one final point, it's a potential for a
22 blockbuster. It's a potential for a blockbuster because
23 what would happen is they would hope, I think, that you'd
24 want to use it to do that to then break up the neighborhood,
25 displace families, demolish those beautiful single-family

1 homes and townhouses, and then replace them with 11-story,
2 12 story glass boxes.

3 And I think that's its potential too, and I think
4 that's part of, quote, unquote, the plan.

5 CHAIRPERSON HOOD: Okay. Thank you.

6 Hold tight. We have some questions? Let's go to
7 Scott Kuechenmeister.

8 You're on mute, Mr. Kuechenmeister. You're on
9 mute. There you go.

10 MR. KUECHENMEISTER: Okay. Good. Ladies and
11 gentlemen, esteemed council members and cherished members of
12 our community, I sit before you today not in the capacity of
13 a city planner or developer, but as a concerned resident
14 living next to the proposed development site.

15 My objections are grounded in three principal
16 concerns. Firstly, it's imperative to acknowledge the
17 dedication of the longstanding residents, regardless of
18 race, who have invested in and nurtured this neighborhood
19 through its challenging times.

20 Their commitment has been instrumental in
21 preserving the Strivers section, transforming it into the
22 desirable locale it is today. This commitment extended to
23 resisting disruptive infrastructure projects that would have
24 severed the community fabric for the convenience of
25 commuters.

1 Secondly, the city's intentions ostensibly aimed
2 at expanding affordable housing appear more aligned with
3 broadening its tax revenues. The notable absence of any
4 mandate for rent control measures within this project,
5 despite the city's capability to impose such requirements,
6 strikes me as a glaring omission and a practice of double
7 speak.

8 Thirdly, in today's polarized climate, the unity
9 we yearn for seems more like a distant ideal. There's an
10 alarming trend where community activists, supported by
11 developers and some governmental figures, resort to
12 vilifying those who dare to express dissent or engage in the
13 legal avenues available for recourse.

14 While this dialogue has often been protracted and
15 at times excessively repetitive, the high stakes involved
16 justify a thorough examination. Were the community accorded
17 even a fraction of the consideration lavished upon
18 developers during decision making processes, I believe the
19 public's concern would be far more tempered.

20 I advocate for development that is sensitive to
21 the historical and cultural essence of our community, not a
22 towering structure that would overshadow the community's
23 rich heritage and jeopardize pedestrian safety.

24 Even today, emergency services and MPD navigate
25 against traffic on 17th Street between U and Florida

1 regularly at the expense of public safety. It's about
2 preserving the diverse legacy of this area, a cause that
3 epitomizes the American spirit of resilience and advocacy
4 despite the ongoing assault against DEI that is taking place
5 today in corporate America.

6 Thank you for allowing me the opportunity to share
7 my perspective.

8 CHAIRPERSON HOOD: Thank you. Let's see. Let me
9 try one more time. Ms. Maria Gillem.

10 Okay. All right. Let's see if we have any
11 questions. I think I've gotten everyone. Let's see if we
12 have any questions to this panel, Commissioner Imamura?

13 Commissioner Stidham?

14 And Vice Chair Miller.

15 VICE CHAIR MILLER: Thank you.

16 CHAIRPERSON HOOD: I am going to ask and probably
17 see because Ms. Norouzi and Ms. Chatmon. Ms. Norouzi said
18 something that struck me when she says, at this time.
19 They're asking us not to approve this at this time.

20 And that's the first time I've heard that in, this
21 is our fifth hearing, fourth hearing. And I know all the
22 work that Empower DC has done. They have done a lot of
23 work, especially over here in my area in Ward 5.

24 As you mentioned, Crummell School and others. So
25 one of the things I've heard, and I think I saw a letter,

1 from you, Ms. Norouzi, that mentioned about public land.

2 And you mentioned, I think, 108 and I'm not
3 familiar with that. I probably read it, but I'm not
4 familiar with that.

5 Can you -- can you help me understand what that
6 means about using public lands?

7 MS. NOROUZI: Sure. Thank you so much for the
8 opportunity. In DC Code 10-801 lays out the mandates of the
9 city, the procedures regarding surplusings and disposition of
10 public land.

11 And this is something that I started learning
12 about 20 years ago, 20 plus years ago when I started working
13 with the Ivy City community and trying to figure out why is
14 it that this incredible public land in the middle of their
15 neighborhood was boarded off and why was it that the city
16 wasn't listening to the community about what they wanted to
17 see there.

18 And what we, immediately became aware of was the
19 Comprehensive Plan. And the Comprehensive Plan guiding, not
20 just, you know, some of the specific parcel saying certain
21 things and the land use maps, of course, but also the
22 Comprehensive Plan calling for a master facilities plan,
23 which is also referenced in the 10801 statute, which
24 unfortunately, we don't seem to have as a city.

25 So there's certain agencies that have facilities

1 plans, libraries, rec centers, but the -- and the schools to
2 some extent, but the idea of a master facilities plan that
3 would, you know, really look at all of the facilities needs
4 of the District government, to my knowledge still does not
5 exist.

6 So for instance, the city has rented a lot of
7 space where we maybe could have replaced that with our own
8 space or in, many cases, we don't have for instance, even my
9 daughter's neighborhood school, we don't have a swing space
10 for her school when they're trying to do renovation in the
11 next couple of years.

12 But 10801 now does require that DMPED hold a
13 hearing in the community on the question of whether a piece
14 of land is surplus. And that was not previously part of the
15 law until this campaign that we had several years ago.

16 And, then when they were to actually go to the
17 Council seeking approval of a surplus resolution, they would
18 have to deliver this report that would speak to the economic
19 factors, that would summarize the community feedback, and
20 would have the Land Disposition Agreement attached to it
21 that would get into the affordability levels of all the new
22 units to be created.

23 And then the City Council will vote, yay or nay,
24 and decide whether to approve that or amend it, instead of
25 approving it.

1 So, we've had this happen with Crummell School a
2 couple years back where a surplus resolution did become
3 before the Council, which would have disposed of Crummell
4 School to a developer to build largely high-cost housing.
5 Of course, the same mandates as here in terms of public
6 land, 20 to 30 percent affordable.

7 And the room was packed with residents who said,
8 no, this is not what we've been asking for all these years,
9 and the Council declined to approve it.

10 And then in the coming years, we were able to
11 convince the mayor to actually invest in the creation of a
12 full community center in the park.

13 So I don't think it's the Zoning Commission's
14 fault, but I think these pieces are not working well
15 together. And what I would ask is that you delay at this
16 time.

17 CHAIRPERSON HOOD: Let me ask you this. And I and
18 I'm very familiar with Crummell School because I know it
19 goes back to a lot of people who are now deceased.

20 MS. NOROUZI: Yeah.

21 CHAIRPERSON HOOD: My father being one of them,
22 Harris senior.

23 MS. NOROUZI: Yep.

24 CHAIRPERSON HOOD: Bill Spalding, a lot of guys.
25 So I know all about Crummell. So appreciate the work. So

1 let me ask you, what happened there? And this is -- what
2 happened at Crummell that didn't happen here?

3 I'm trying to understand. Because the Council
4 voted here, in this case. I think it was 12 to --

5 MS. NOROUZI: Yeah. The Council has not voted.
6 So what has happened here is actually the same thing that
7 had happened at Crummell, which is DMPED held the hearing.

8 They call it a hearing, but it's like a community
9 meeting that is required by the statute. But they have not
10 done the next part, which would be to actually go to the
11 City Council, have a resolution introduced surplus
12 disposition resolution introduced, have an actual City
13 Council hearing.

14 There's two Council committees involved. One
15 committee oversees the declaring of a land surplus. The
16 other committee oversees the disposition of the land. So it
17 involves a lot of people, right, of the lot of process. And
18 then now, we would also have a racial equity impact
19 assessment from the DC counsel Office of Racial Equity done
20 on it. So none of that has happened.

21 CHAIRPERSON HOOD: Okay. I'm getting mixed up
22 with the Comp Plan. I've been hearing so many different
23 things. I'm thinking the Comp Plan. I think it's the
24 amendment for 1201 is what the Council's going on.

25 So I want to ask my counsel, not tonight. I want

1 to know, because I've been hearing a lot about this public
2 plan. I want to know where we fall in the scheme of things.

3 I'm sure I think I know what I'm going to hear,
4 but I'm going to ask my counsel to help us to make sure that
5 we dotted all our i's across all our t's. I think that's
6 all I have for now.

7 While I'm doing it, did anybody else -- nobody
8 else had any questions? I may come back. But look, while
9 you let's hold tight. Let's go to the Office of Planning.

10 I may come back and have a few more questions. I
11 got to think about them.

12 So that everybody's testimony is very helpful for
13 me. All right. Let's go to the Office of Planning, Mr.
14 Kirschenbaum.

15 MR. KIRSCHENBAUM: We do not have any questions.
16 Thank you.

17 CHAIRPERSON HOOD: Okay. Let's go to Chair
18 Harris. Any cross?

19 Okay. Ms. Schellin, have we had anybody here from
20 ANC 2B tonight?

21 MS. SCHELLIN: No, sir.

22 CHAIRPERSON HOOD: Okay.

23 Randy Jones?

24 MR. JONES: No questions. Thank you.

25 CHAIRPERSON HOOD: Okay. And Gregory Jackson?

1 I'm sorry. Gregory Adams. I'm thinking about a friend of
2 mine. I'm sorry. Oh, Mr. Adams. You're a friend of mine
3 too, but I'm sorry.

4 MR. ADAMS: I have a question for, Ms. Chatmon.

5 CHAIRPERSON HOOD: Okay. Ms. Chatmon.

6 MR. ADAMS: You mentioned that OP is responsible
7 for leading the development of racial equity action plans
8 that include community engagement. Can you elaborate on
9 that responsibility? Can you tell us more about that?

10 MS. CHATMON: Yes. So I was basically talking
11 about how OP is supposed to be a leader in designing and
12 implementing racial equity action plans, and how to comply
13 with those plans.

14 And that was actually, I'm going back to when OP
15 was a cohort agency in the September 2021, the Office of
16 Racial Equity had a yearlong pilot program with ten district
17 government agencies, and they were tasked with having these
18 racial equity action teams that were supposed to draft,
19 like, agency level action plans to close these racial equity
20 gaps that we're seeing in the District.

21 And as I mentioned, and even the Zoning
22 Commissions Racial Equity Tool lists OP as the go to agency
23 to answer those questions related to outreach and
24 engagement, when, you know, applicants are trying to make
25 these decisions or applying to make these changes.

1 And then, I also just will add that OP, if you
2 look at Action H-2.1 in Chapter three of the Comprehensive
3 Plan, this kind of details how OP is responsible for
4 developing and implementing these racially equitable anti-
5 displacement strategies.

6 And I guess, you know, just reiterating that we've
7 seen the bare minimum in this case. And also, you know, the
8 little outreach that was done, it was done not by OP itself,
9 but by DMPED. I just wanted to point that out. Hope that
10 answers your question.

11 MR. ADAMS: As an organizer, have you been
12 conducting any research of your own on this particular case?
13 What I mean, I guess, is have you been talking to residents
14 around here about this particular case? And if so, what
15 have you been hearing from them?

16 MS. CHATMON: Yes. So, I have been working
17 especially closely with the black neighbors of, you know,
18 within the vicinity of the site. You, for example, and,
19 others that are members of the Black Neighbors Party.

20 I've also been working with Freedom Baptist
21 Church. And, I guess, you know, I will say that all most
22 people that I've spoken with, especially the black residents
23 and civic associations and churches, they have not heard
24 about this zoning change.

25 In fact, I was compelled to hold a meeting

1 specifically for the black neighbors in the community, and
2 they all expressed concerns about the lack of outreach,
3 especially targeted outreach, to the, you know, to them
4 about the site.

5 And then, I also was compelled to arrange a
6 meeting at Freedom Baptist Church because they were also
7 unaware, and I attended a health fair, actually at the
8 church, and Brianne Nadeau, who has been an active proponent
9 of this change, was there.

10 And I just, you know, I find it interesting that,
11 you know, the church has had these, you know, communications
12 and relationship with Councilmember Nadeau, but they were
13 unaware of the changes.

14 And I know that's not exactly her job, but, you
15 know, it's more of the applicant's job. But I just want to
16 point that out that there has been a severe lack of
17 communication in regards to this case.

18 MR. ADAMS: Okay. Thank you very much, and thank
19 you, Chairman Hood.

20 CHAIRPERSON HOOD: Thank you. Rochelle
21 Apartments, Ms. Akel. Ms. Akel, still with us? If we don't
22 get Ms. Akel, we can come back to Ms. Akel. There she is.

23 Ms. Akel, any cross?

24 MS. AKEL: I'm sorry. They weren't allowing me to
25 unmute until just now, so I apologize.

1 MS. SCHELLIN: Wait. Chairman Hood, I want to --
2 we do not control whether you mute or unmute, Ms. Akel.
3 That is on you. So I just want you to know, we're not
4 controlling that.

5 CHAIRPERSON HOOD: Yeah, you have to come up.
6 So we're not -- nobody's doing anything not to --
7 so go right ahead, Ms. Akel.

8 MS. AKEL: Okay. I have a question for someone
9 from Empower DC, either Andrea or Ms. Norouzi.

10 Does somebody want to -- okay. Ms. Norouzi, since
11 you're on the screen, I'm the only party here that is
12 specifically, representing renters who are at high risk of
13 displacement for this upzoning.

14 And I have been doing my own research about anti-
15 displacement mapping that other cities are using in
16 conjunction with their departments of housing. And I'm not
17 an expert on this. I've been trying to get up to speed on
18 it, but I do know quite a few cities are already doing this.

19 And my knowledge is that OP collects disaggregated
20 data. They're just not using it to do anti-displacement
21 analysis or any kind of affordable housing overlays.

22 This goes to your maybe master facilities plan
23 that you talked about. We should have affordable housing
24 overlays.

25 So I wanted you to, maybe elaborate about your

1 experience and what OP could be doing in these cases to
2 alleviate or to mitigate the risk of displacement in up
3 zoning? Thank you.

4 MS. NOROUZI: Thanks, Deborah.

5 Yeah, I think that, you know, preventing
6 displacement has to be very intentional. And unfortunately,
7 as a city, we've been intentional about building, but we
8 haven't been intentional about preventing displacement.

9 And, we, Empower DC, were part of a coalition of
10 groups that pushed for that stronger language in the Comp
11 Plan requiring the Office of Planning to develop an anti-
12 displacement strategy.

13 We actually just met with Ryan Hand, who's one of
14 the lead, planners at OP this week to find out or like as it
15 was last week to find out, what the status of that plan was,
16 and it seems to be working very slowly.

17 In fact, he did mention that it's a collaborative
18 effort with DMPED, and that DMPED's first focus is on this
19 housing demand study.

20 So I guess they're focusing again more on the
21 housing demand side than on the forces of displacement side.
22 You're right that other cities like Boston, I believe
23 Seattle, New York, they're far ahead of DC in terms of the
24 displacement mapping, but it's also part of the racial
25 equity analysis.

1 So when we were working, on implementation of the
2 racial equity analysis component of the Comp Plan, we did
3 present testimony at the Zoning Commission about some of the
4 research that we had done around what other cities are
5 doing.

6 And my understanding is, yes, collecting the data,
7 disaggregating the data, but then designing interventions
8 that are required by developers, based on the vulnerability
9 of the community that you're working in.

10 And we have not seen that here in DC yet. We have
11 not gotten to the point where any of the data is connected
12 to any required action. So we have a long way to go.

13 MS. AKEL: Thank you. And one last thing, we do
14 have black residents in my building, long time, long time,
15 intergenerational black residents, and that's all, that's
16 all the questions I have, thank you.

17 CHAIRPERSON HOOD: Okay. Thank you.

18 Ms. Feskanich, do you have any questions in the
19 cross?

20 MS. FESKANICH: Yeah. I don't have questions,
21 Chair Hood. I just appreciate the testimony we just heard.
22 Thank you.

23 CHAIRPERSON HOOD: Thank you.

24 Mr. Hanlon, you have any cross?

25 MR. HANLON: I would like to ask, Andrea Chatmon a

1 question. Is she there?

2 CHAIRPERSON HOOD: Yes.

3 MR. HANLON: Okay. You testified about the
4 Freedom Baptist Church and you've been working with the
5 Freedom Baptist Church and the minister there; is that
6 right, concerning this project?

7 And I want to make sure I understand your
8 testimony. The Freedom Baptist Church is one block away
9 from the site; is that right?

10 MS. CHATMON: On mute. Yes.

11 MR. HANLON: Yes. And the minister and the board
12 of trustees and the parishioners of Freedom Baptist Church
13 had no idea that this upzoning case had been filed? They
14 were not -- OP didn't out reach out to them?

15 MS. CHATMON: Correct. I was the first one to
16 kind pf talk to Reverend Younger, who is the pastor, about
17 that.

18 MR. HANLON: All right. So as far as you know,
19 neither OP nor a DMPED nor an ANC reached out to the Freedom
20 Baptist Church a block away about this project; is that
21 right?

22 MS. CHATMON: Correct. And it was also that's
23 exactly what, you know, the Reverend Younger also said, and
24 it's on the record too.

25 MR. HANLON: Good. And I know today that the

1 Freedom Baptist Church requested a postponement of this case
2 so that outreach could be done to their congregation and to
3 others in the neighborhood.

4 Is it your understanding that Freedom Baptist
5 Church would likely have been a party to this case, asked to
6 be a party to this case had they known about this upzoning
7 initially when the application was filed?

8 MS. CHATMON: I can't speak, you know, directly
9 for the pastor. I would assume that he -- that they would
10 be interested, but I, again, I can't speak for them.

11 I would say that there has been interest in also
12 seeing what, you know, has been done with other churches in
13 the area and from what I've been told from residents and
14 other folks, it has not been any outreach.

15 So, I think there would be some consideration of
16 maybe, like, something with other churches, but I can't
17 really speak to that.

18 MR. HANLON: Okay. Thank you.

19 I have a one question for Parisa, if I may ask,
20 Ms. Norouzi.

21 Hi, how are you?

22 MS. NOROUZI: Good. Thanks.

23 MR. HANLON: I may have misunderstood something
24 you said. I wrote down that you said the Zoning Commission
25 should use this case to set a standard for community

1 engagement. Did I misunderstand? Or can you explain
2 briefly what you meant by that statement?

3 MS. NOROUZI: Sure. Yeah. I think we're at a
4 very important stage of implementing the Racial Equity
5 Analysis Tool that the Zoning Commission worked very hard to
6 create and heard lots of testimony around and did its best
7 job to try to create a meaningful tool.

8 And so now we have to see it in action, right?
9 Because I don't think any of us just want a lot of words on
10 a paper. We want to see how is this effort going to improve
11 people's lives, right?

12 And so I think this case is a very important
13 precedent setting case in the implementation of that Racial
14 Equity Tool, particularly because it is public land that the
15 Office of Planning itself is the applicant and the Office of
16 Planning itself is the one of the implementing agencies of
17 the Racial Equity Tool.

18 So, yes, I do believe that if we allow minimum
19 engagement to pass in this case, that we are setting a bad
20 tone for future cases.

21 MR. HANLON: And one other question. Are there
22 other ways to increase affordable housing in this
23 neighborhood, such as vouchers or other actions the city
24 could take besides building an MU-10 on this site?

25 MS. NOROUZI: For sure. There are other avenues.

1 I mean, I think it's a matter of whether you want to rely on
2 the private market or if you want to create mechanisms of
3 affordable housing that are either city owned or owned by
4 the residents themselves.

5 Affordable, you know, limited equity cooperatives
6 are a great opportunity for affordable housing. Something
7 like social housing is a great opportunity. Certainly,
8 vouchers are an opportunity.

9 I don't believe we've had the opportunity to
10 explore all of that. And it's one of the things that again
11 makes me ask the Commission to pause its decision in this
12 case, because we are being told by the Office of Planning
13 two things at once.

14 We're being told that, we need to approve this so
15 that we can get affordable housing. But then when we ask
16 about how much of how much affordable housing and at what
17 levels of affordable housing, we're being told, well, we
18 can't talk about that right now because we're not talking
19 about a specific project.

20 We're just talking about the zoning, the height.
21 And, and so that's again why it's so important that we allow
22 this project to go through the surplus of disposition
23 process, negotiate a Land Disposition Agreement that would
24 have those definitions, those specific commitments, and then
25 come back to the Zoning Commission.

1 MR. HANLON: I thank you.

2 I don't have any more questions, Chair Hood.

3 CHAIRPERSON HOOD: I'm a seize the moment. I'm a
4 take advantage of all the work I know Empower DC does, so
5 I'm getting ready to keep asking a few more questions.

6 Ms. Chatmon, let me just ask, free was it
7 friendship, not French? It's Freedom, is it Freedom Baptist
8 Church? Is the church okay. That we that one of us
9 supposed to know tonight. Is that Carl Younger?

10 MS. CHATMON: Correct.

11 CHAIRPERSON HOOD: Okay. Okay. I know him from
12 another life that I do other things in. But my question is,
13 Carlos Younger is a pastor that is normally into the know.
14 And I know of him and he probably knows of me.

15 Sometimes and maybe this is for both of you. I'm
16 trying to I've been trying to figure this out for the past
17 four hearings. In my neighborhood and growing up in Ward 5
18 and growing up in DC, I had people say nobody came and asked
19 me, did I want a job? Nobody came to my door and did this.

20 And this is one of the things I'm going to ask the
21 parties. Nobody is -- when they do stuff in my
22 neighborhood, if I don't attend my ANC meetings or look and
23 see a placket or find out from the community or something,
24 nobody comes to me and tells me anything.

25 And I'm talking about in my civic role as the

1 president of the Woodbridge Civic Association and a member
2 of North Richland Park or wherever I am.

3 What is the difference here, which you're
4 outlining versus me going out and like you do in Empower DC
5 and find out what's going on? What's the difference?

6 I'm trying to figure out, do people normally go to
7 people's doors and knock and tell them everything, or do you
8 have all your blinds to go out the house and find out what's
9 going on in your neighborhood? Help me try to understand.
10 I'm trying to understand the difference.

11 MS. CHATMON: My point is that we have seen
12 repeatedly, just from everyone's testimony, that there has
13 been a heavy weight on the community itself to do their own
14 sort of information finding and outreach, versus, like, OP
15 taking the initiative to do that when they're supposed to be
16 according to the racial equity plans that we've established
17 that they're supposed to be leaders in doing that.

18 And that includes, which is a quote in many of
19 these documents, the Racial Equity Tool, I think, says this
20 too, which is meeting people where they're at. That's a
21 quote from the book.

22 And so, I guess, my concern and why I keep
23 bringing up, you know, that people were compelled to arrange
24 their own meetings is because I'm not seeing OP meeting
25 people where they're at. I see community members having to

1 scramble and do this work themselves, do the work of what
2 the applicant should be doing.

3 CHAIRPERSON HOOD: Okay. Now let me just ask. I
4 think it made it that way because of the efforts of a lot of
5 people in the city, of outreach.

6 So, Ms. Norouzi, let me ask you. Is there a
7 burden -- isn't there some responsibility for us residents
8 to get involved with what's going on?

9 And I get it. I get it. Not and don't take me
10 wrong. I appreciate the work you all do, especially telling
11 -- informing people, not just in this project, but all
12 projects in what's going on in the neighborhood.

13 But isn't it, at some point, you know, some
14 responsibility of us to find out what's going on in our
15 community?

16 I mean, I'm just having this conversation with you
17 all, because I'm going to have it with the parties in
18 opposition as well.

19 MS. NOROUZI: Yeah. I mean, I think that once
20 people are given the information, then it's up to them to
21 decide if they want to be involved, if they want to come to
22 a zoning hearing, if they want to sit through night after
23 night of a zoning hearing.

24 But if people don't even know that a zoning
25 hearing is taking place or how a zoning hearing functions

1 or, you know, in this case, because zoning is a particularly
2 difficult arena, particularly difficult.

3 And I think you could agree that, you know, land
4 use attorneys, developers and land use attorneys have, you
5 know, the expertise to navigate the zoning rules. And most
6 of us, we're learning as we go, you know?

7 So I think, from the housing standpoint, our job
8 is to give people the information of the opportunity to get
9 involved, and then it is the person, the community's
10 responsibility to then actually get involved, to make it a
11 priority to attend meetings, to spend their time doing it.

12 But people don't even know, I mean, I hate to say
13 it, but a lot of DC residents don't even really know about
14 the Zoning Commission, about their ANC, what the ANCs are
15 supposed to be doing.

16 And I will say this is another big issue that we
17 rely so heavily on the volunteer labor of the ANCs to be our
18 primary voice for connecting with the community. Yet, we
19 also don't have any minimum standards of engagement for the
20 ANCs.

21 There's no minimum that the ANC has to once they
22 receive the notice of the zoning hearing, they don't have to
23 do anything with it. And so that creates a lot of disparity
24 across the board where some communities have ANCs who have
25 the opportunity, they have the resources to go out and tell

1 everybody, and other a communities hear nothing of it.

2 So we that's why the Racial Equity Tool is (audio
3 cutout). We are trying to level the (audio cutout).

4 CHAIRPERSON HOOD: All right. I want to thank
5 this panel, and I'm going to request that Empower DC stood
6 around for later hearings. I may have some additional
7 questions and I may even may have some information I need
8 some, information on, as we move forward in this process.

9 All right. Any other questions or comments from
10 my colleagues?

11 All right. I want to thank the whole panel entire
12 panel for taking the time to and then stick with us and
13 taking the time to testify.

14 Ms. Schellin, can we call up the next five,
15 please?

16 And I think it was important for me to take that
17 time because I know the work that Empower DC has done,
18 especially in communities that are not notified, especially
19 in my area, the work that they've done. So.

20 MS. SCHELLIN: Ready for cross?

21 CHAIRPERSON HOOD: Oh, did I? Yeah, Mr. Hanlon
22 was the last one.

23 MS. SCHELLIN: Okay. All right.

24 CHAIRPERSON HOOD: Yeah.

25 MS. SCHELLIN: I didn't hear him.

1 CHAIRPERSON HOOD: Okay.

2 MS. SCHELLIN: All right. Let's move on.

3 Randall Jones?

4 CHAIRPERSON HOOD: Where are we going to do with
5 Marie Gillem? Has anybody been able to get in touch with
6 her?

7 MS. SCHELLIN: We asked her -- you made the
8 announcement for her to call the helpline. And so if she'll
9 do that, then, you know, that's the only thing we can do at
10 this point. There's nothing else we can do.

11 CHAIRPERSON HOOD: Okay.

12 MS. SCHELLIN: Okay. So let me get back to my
13 list. I'm sorry.

14 So Randall Jones, and then we move on to Linda
15 Houghton or Houghton, Hussein Mousavi, Danielle Brian, and
16 let's see, next would be Shelley Rapp.

17 CHAIRPERSON HOOD: So Ms. Schellin, we probably
18 won't finish this tonight.

19 MS. SCHELLIN: Oh, definitely not.

20 CHAIRPERSON HOOD: Okay. On 26th. So the parties
21 in opposition, we'll have to come up with another date on
22 the 26th.

23 MS. SCHELLIN: Okay.

24 CHAIRPERSON HOOD: All right. Let's go to, Linda
25 Houghton.

1 MS. HOUGHTON: Yes. I'm here. Can you hear me?

2 CHAIRPERSON HOOD: Yes. You can go right ahead.

3 MS. HOUGHTON: How do I get my picture up? I
4 don't know. Do I get --

5 CHAIRPERSON HOOD: You see where it says, video
6 start video?

7 MS. HOUGHTON: Start video. Okay. There you go.
8 Start video.

9 CHAIRPERSON HOOD: Click on it once. If you click
10 twice, it'll cut back off.

11 MS. HOUGHTON: Allow. Allow. Oh, okay. Allow.
12 Well, I don't know. Oh, yeah. There we go.

13 CHAIRPERSON HOOD: There you go. Okay.

14 MS. HOUGHTON: I'm on. Okay. I must say this has
15 been incredibly impressive. And I'm a resident of Beekman
16 Place, 1672 Beekman Place since 2008. I actually came to
17 Washington in 1984, so I've been here a while, but I've been
18 at Beekman.

19 I have learned and I've been watching all of this.
20 I've been learning a lot. There's not much I can add
21 following the recent Chatmon and these other people who were
22 very, very well informed, far better than I am.

23 My only issue with all of this -- everybody that
24 takes care of the housing. I am interested in the fire
25 department and in the police department and I think we have

1 to play special attention to them -- Beekman Place, since I
2 have been here has had three fires.

3 The first fire, the lady died in her apartment.
4 The second fire took out six apartments. We didn't get
5 totally burned out, but the damage was so much that people
6 had to move out for six to eight months before their
7 apartments could be returned.

8 The fire department got to Beekman Place within
9 two minutes. That's how fast they got there once they got
10 the call.

11 If that fire department hadn't been as close to
12 where we are, we would have lost a lot more of the building.
13 So I warn everybody to pay attention.

14 Those fire departments are put in specific places.
15 They have certain areas which they cover and the time with
16 which they cover those areas is critical. And that also
17 goes for the medical aspect of the fire department.

18 If someone's having a heart attack or an aneurysm
19 or something, time is of the essence. And that's what's
20 going to keep us alive.

21 I think this is a job of the city to make sure
22 that we have functioning fire departments. The police
23 department is also critically important. Now, we've got the
24 commissioners coming up with whole lot of new plans.

25 We've got apparently a lot of rising crime. We've

1 got a lot of citizens who are clearly unhappy. And the
2 intersection with many citizens is through the police
3 department and through social services.

4 And I would, you know, these institutions have to
5 be supported and I hope the city focuses on them. This is
6 not your job. I understand that. Your job is to looking at
7 zoning, but as the Zoning Commissioners, you also play a
8 very important role in that you create stability in our
9 community.

10 And you know far better than I do, what kind of
11 changes happen as zoning changes are made. So I put that in
12 your hands. I trust -- I look to the zoning to make my life
13 and my neighbor's life stable. That's all I can say.

14 And that's about all I have to say at the moment.
15 I could go on about the city and the and creating better
16 departments, but that's not your job.

17 So I'll save that for another occasion.

18 CHAIRPERSON HOOD: Okay. Thank you, Ms. Houghton.
19 Hold tight, we may have some questions for you.

20 MS. HOUGHTON: Okay.

21 CHAIRPERSON HOOD: The next person is Hossain
22 Mousavi. Hopefully I didn't mess that up too bad.

23 MS. HOUGHTON: Excuse me? I didn't hear that.

24 CHAIRPERSON HOOD: No, I was talking to the next
25 person, Ms. Houghton. Just hold tight.

1 MS. HOUGHTON: Okay.

2 CHAIRPERSON HOOD: Mr. Mousavi, Hossain Mousavi?

3 MR. MOUSAVI: Yes, I'm here.

4 CHAIRPERSON HOOD: Yeah. Go right ahead. If you
5 could help us pronounce your name, and then you can start.

6 MR. MOUSAVI: Yeah. You pronounced my name
7 perfectly.

8 CHAIRPERSON HOOD: Oh, that's the first time I've
9 done something right. Okay.

10 MR. MOUSAVI: You did very good. Very good. My
11 name is Hossain Mousavi. I have lived directly across the
12 street from the proposed zoning side at 1701 Seaton Street
13 Northwest since 1984.

14 I raised my family here and I hope to live all of
15 my retirement years in this community. And I have invested
16 years and have room to love and respect for its diversity,
17 vitality, and neighborhood.

18 I have been following the case for the rezoning MU
19 1617 U Street Northwest from MU-4 to MU-10 very closely and
20 have found more question than answer as to what will happen
21 to this piece of public owned property.

22 I have not heard -- or any guarantee that rezoning
23 in MU-10 will ensure that our essential public service
24 police, fire department, EMS will remain on-site. I have
25 not been shown any impact study on what massive construction

1 project will have on my two-story historical home at
2 neighborhood.

3 I have not been any impact study on what the
4 increased congestion will have on my neighborhood narrow one
5 way street with limited parking. I have not been any study
6 to show that building more luxury housing unit in an area
7 already saturated with them, would lower housing costs.

8 Housing costs are determined by market value, not
9 by volume. And believe me, on my letter December to
10 honorable zoning department mentioned that if somebody come
11 to visit our neighborhood, they realize space is no problem
12 for us.

13 Affordability is problem for us because we have a
14 lot of apartment around our -- this project, which all of
15 them looking for the vacancy, hoping people they render
16 praise.

17 I have not been shown any impact study on why MU-
18 10 construction project will affect responses time for our
19 critical police fire and MUS service. And I do not
20 understand why some say this property is an underutilized.

21 The third district police station is major station
22 ground for police unit preparing for major event and
23 district that require large police resident. The space and
24 accessibility provided by 1617 US Northwest is an essential
25 utilization of the public property and one that should not

1 be ignored.

2 In the short, the Office of Planning and DMPED
3 have not provide any answer that that needed to rezoning
4 property MU-10. That have not conducted any engagement with
5 the community. Not only that, the question I have, the
6 zoning department also asked the same question to Office of
7 Planning and DMPED.

8 Unfortunately, I don't know. They were so
9 disrespect. Didn't answer anything. But at the same time,
10 they're demanding to zoning department, changing zoning
11 system for them. That's not fair.

12 Honorable people in the zoning department, which I
13 hope because zoning department won't make any decision that
14 last lifetime. Honorable people -- and a few seconds and
15 I'm finished.

16 Honorable people in zoning department, they should
17 realize this. Their decision is very important for
18 community. Therefore, I ask zoning community to deny OP
19 request rezoning 1670 U Street Northwest until OP and DMPED
20 can put can engage openly with us as community.

21 I oppose the zoning application with the following
22 I'm sorry. I'm a little nervous.

23 CHAIRPERSON HOOD: No, no, no. Don't worry about
24 being nervous.

25 MR. MOUSAVI: Yes. Application for --

1 (crosstalk). Application for community zoning, I ask you do
2 the same thing. I would like you to ask you to deny that
3 until the Office of Planning and DMPED, they do their
4 homework and answer your question, which is more important.

5 I want you guys respectable to me. I want their
6 respect to you because you have the same question I have. I
7 live for 38 years in this neighborhood. I love my
8 neighborhood. It's a very diversable (sic) neighborhood,
9 economically, culturally.

10 Anyway, you see it is unique. This property is
11 one thing I want in my chest to tell you, and they try to
12 sell us constantly about the affordability. We make
13 affordable houses.

14 Affordable housing is good if not making a one-
15 bedroom apartment or what they call efficiency. Oh,
16 efficiency. If you make a two-bedroom apartment, three
17 bedrooms, so honorable police officer, fire person.

18 CHAIRPERSON HOOD: Mr. Mousavi?

19 MR. MOUSAVI: Yes.

20 CHAIRPERSON HOOD: Mr. Mousavi, go ahead and give
21 us your closing comment.

22 MR. MOUSAVI: Yes. If I'm finishing because their
23 salary is not is not affordable to make this house. And
24 this is the area price of housing goes for the market value.

25 If somebody subsidizes beautiful, Allah, the

1 teacher and police and fire department will serve us to be
2 our neighbor. But they're selling you to you as this
3 project as this is going to be affordable housing.

4 If market value price them for the housing, I
5 don't know. And, also, another thing I'm certainly
6 concerned about the people if the police family or teacher
7 family come to our neighborhood as somehow managed to get
8 one of the (inaudible) for the housing.

9 CHAIRPERSON HOOD: Mr. Mousavi -- Mr. Mousavi --

10 MR. MOUSAVI: Yes?

11 CHAIRPERSON HOOD: I need you to wrap it up. We
12 need to move it along.

13 MR. MOUSAVI: Okay. One second. The teacher the
14 family, they need service. The kids, they need a school.
15 We already have program for our kids in the neighborhood.
16 We don't have enough school for them.

17 How this project can work from it started when you
18 look at it, it's something wrong here because the people,
19 they won't force it to you not to intelligently think about
20 it to be practical or not practical.

21 CHAIRPERSON HOOD: All right. That's it. That's
22 it.

23 MR. MOUSAVI: I'm finished.

24 CHAIRPERSON HOOD: Okay. Thank you.

25 MR. MOUSAVI: Thank you very much.

1 CHAIRPERSON HOOD: So I want you -- all those
2 neighbors who want to call me tomorrow and complain about me
3 letting you and others go on, I'm a give them your phone
4 number.

5 No. I'm not. I'm just I'm just having fun. No.
6 I'm not going to do that.

7 All right. Let's go to --

8 MR. MOUSAVI: Most of them probably have my phone
9 number. They're already (crosstalk) --

10 CHAIRPERSON HOOD: Okay.

11 MR. MOUSAVI: Very unique.

12 CHAIRPERSON HOOD: All right. Let's go. Let's go
13 to Danielle Brian.

14 MS. BRIAN: Thank you so much, Chairman.

15 I heard you, Chairman Hood, that you said the
16 question is whether MU-10 or the really the question the
17 Zoning Commission is being asked is whether MU-10 is not
18 inconsistent with the Comp Plan, but surely, you're
19 empowered to consider whether a less dense zoning could also
20 be not inconsistent with the Comp Plan.

21 I live kitty corner from the proposed site at 2100
22 17th Street, and I fully support adding deeply affordable
23 housing on the site. But when Councilwoman Nadeau advocated
24 for the upFLUM and OP presented their support of the map
25 plan, as you've now heard many times, they did it with

1 absolutely no consultation with or input from our
2 neighborhood.

3 And it shows. They argued, for example, the block
4 in question is similar to the block with the Reeves Center
5 and Portner Flats development. And we just heard our ANC
6 chair made that same mistake.

7 It is not the same, and there are two significant
8 differences. The V Street block behind the Reeves Center
9 and Portner Flats has no residences behind it. None. That
10 block has a bar and a church and its auxiliary buildings.

11 In contrast, the V Street block between 16th 17th
12 Streets bordering the proposed redevelopment is almost
13 entirely two-story single-family residences as many of my
14 neighbors have noted.

15 Secondly, unlike that block, the narrowness of
16 17th Street would not and could not safely allow for the
17 significant increase of traffic created by a dramatic
18 upzoning.

19 For comparison, 14th, 15th, and 16th Streets have
20 four lanes for car traffic or 15th Street, which has three
21 lanes for cars plus a separate lane for bicycle traffic.

22 In stark contrast, 17th Street has only one one-
23 way traffic lane that is shared by both cars and bikes
24 together. This is also true for V Street. I also want to
25 note that the DDOT study that was filed in support of the

1 map amendment to increase density to MU-10 for these
2 proceedings, which is Exhibit 462, is also based on their
3 flawed assumption that the maximum housing units would be a
4 total of 408 units, a net change of only 252 units created
5 by the upzoning.

6 But we've all learned from OP that their estimate
7 is a total of 600 residential units, meaning DDOT support of
8 this map amendment assumes the increased residential burden
9 would be 30 percent less than what OP is proposing.

10 The DDOT study also says they excluded any police
11 and fire traffic from their analysis as they argued the
12 higher density would not increase the number of police or
13 fire vehicle trips.

14 But as a result, not only did they not take into
15 account the number of first responders who are driving to
16 and from this site, they also didn't take into account that
17 currently the police don't compete with any civilian drivers
18 and service trucks for parking ingress or egress, even for
19 emergency response.

20 Would the increased traffic competition on these
21 two one-way blocks created by an MU-10 zoning be consistent
22 with Mayor Bowser's vision zero initiative of zero traffic
23 deaths?

24 Cross examinations of OP and the AG revealed
25 several sections of the Comp Plan are in fact inconsistent

1 with their proposal to make this lot MU-10. There are other
2 options that would not be inconsistent with the Comp Plan
3 and would respect the neighborhood.

4 In conclusion, for the redevelopment of this site
5 to be consistent with the Comp Plan or not inconsistent, any
6 new construction must respect the neighborhood conservation
7 designation of the Striver section.

8 This site is, in fact, directly across the street
9 from that historic neighborhood on all three streets facing
10 sides of the site.

11 The Comp Plan acknowledges the V Street border,
12 but the redevelopment should also respect the 17th Street
13 border as our neighboring ANC noted, and it is really very
14 frustrating to see our ANC, not represented for the
15 community, by our chair.

16 And that includes several properties that were
17 once owned by Frederick Douglas. I implore you the Zoning
18 Commission to reject OP's recommendation, but remain
19 consistent with the Comp Plan by applying split zoning and
20 apply height restrictions, setbacks, and covenants to
21 preserve the historic neighborhood character and maintain
22 the safety of the residents. Thank you.

23 CHAIRPERSON HOOD: Okay. Thank you.

24 Let's go to Shelly Repp.

25 MR. REPP: Commissioners, I know it's been a long

1 evening. My name is Shelly Repp, and I am chair of the
2 Committee of 100.

3 The Committee of 100 appears in opposition to this
4 application. We're going to focus -- I'm going to focus
5 tonight on what I see as the zoning issues in this case.

6 This upzoning would be inconsistent with the
7 comprehensive plan's mid-city area element and the site's
8 designation as a neighborhood conservation area.

9 Moreover, since any transformation of low density,
10 of a low-density neighborhood, as is proposed will result in
11 displacement, the proposal does not satisfy the Commission's
12 racial equity criteria.

13 The site lies within the comprehensive plan's mid-
14 city area element. That element sets general policies and
15 actions to guide growth and neighborhood conservation
16 decisions in the mid-city planning area, including that the
17 historic character of the mid-city neighborhoods,
18 particularly its row houses, its apartment houses, historic
19 districts, and walkable neighborhood shopping districts be
20 retained and reinforced.

21 And infill development should be compatible in the
22 scale and character with the adjacent uses. A 12-story
23 building on the site would be inconsistent with these
24 objectives.

25 The Committee 100 recognizes that the rezoning

1 responds to the site's new FLUM designation. However, the
2 framework element of the Comprehensive Plan states that
3 designation of an area with a particular future land use map
4 category does not necessarily mean that the most intense
5 zoning district described in that category is automatically
6 permitted.

7 Given the slope of the site and with a penthouse,
8 the up zoning will permit a matter of right structure of at
9 least a 125 feet, which approaches the height of almost all
10 any building downtown.

11 Bottom line, a building with a lower height and
12 less density would be consistent with the Comprehensive
13 Plan.

14 The northern half of the site is designated, on
15 the general policy map, as a neighborhood conservation area.
16 The Comprehensive Plan provides that in such areas, any
17 change be modest in scale and that major changes in density
18 over current conditions are not expected.

19 Apparently, in recognition of this designation and
20 community opposition, the Office of Planning now says it
21 will introduce a text amendment to provide a 40-foot setback
22 in part of the neighborhood conservation area with a 60-foot
23 maximum height before rising to 120 feet.

24 However, the permitted height would still be out
25 of proportion out of proportion with the surrounding row

1 houses since the row houses on V Street are two stories.

2 This clearly is shown in the Office of Planning's
3 rendering set forth in Supplemental Report Number 2. We
4 challenge the Commission to recognize the neighborhood
5 conservation area and rule that the setback include the full
6 area of the neighborhood conservation area and that the
7 allowed height be more in line with the two-story townhouses
8 along V Street.

9 By doing so, the Commission will reconcile the two
10 Comprehensive Plan maps. The site is surrounded on three
11 sides by row house neighborhoods with a significant black
12 population.

13 A racial equity analysis needs to take into
14 consideration the potential displacement of those living in
15 a defined surrounding zone. Further, the set down report
16 states that under DC law 10-801, which Parisa Noruzzi, went
17 through with you just, you know, the last panel, that any
18 disposition or development of a public site would require
19 affordable housing that exceeds the requirements of IZ Plus.

20 For this District property, at least 30 percent of
21 the residential units should be affordable. The DC law also
22 provides for deeper affordability levels than are applicable
23 under IZ Plus.

24 Nonetheless, the Office of Planning states that
25 out of an abundance of caution, the Office of Planning

1 recommends that the zoning is appropriate for IZ Plus, not
2 the 30 percent, which we've been told previously.

3 This application should be revised to fully comply
4 with the directive of DC law. We also add that we are
5 surprised that the Office of the Attorney General is giving
6 the Office of Planning a pass at compliance with this DC
7 law.

8 In summary, any structure that would utilize the
9 full potential of MU-10 zoning would stick out like an
10 unwanted pop up and would deal a serious blow to the
11 principle of adapting infill development to the surrounding
12 neighborhood.

13 There has been much testimony from the Office of
14 Planning that this is a map amendment and doesn't deal with
15 a specific project. However, any subsequent building permit
16 application in compliance with MU-10 zoning is assuming it's
17 approved would be matter of right, which means the Zoning
18 Commission would be powerless to consider the adverse
19 impacts.

20 We respectfully request that this upzoning
21 application be denied.

22 CHAIRPERSON HOOD: Okay. Thank you.

23 Ms. Schellin, I think I've we've gotten everybody
24 on this panel. Let me see if my colleagues have any
25 questions.

1 Commissioner Imamura?

2 COMMISSIONER IMAMURA: No.

3 CHAIRPERSON HOOD: Commissioner Stidham, any
4 questions? And Vice Chair Miller.

5 VICE CHAIR MILLER: No questions, Mr. Chairman.
6 Thank each of you for your testimony, particularly, the
7 focus on the Comprehensive Plan by Ms. Brian and Mr. Repp.

8 CHAIRPERSON HOOD: Okay.

9 VICE CHAIR MILLER: But thank you all.

10 CHAIRPERSON HOOD: I too want to thank you all. I
11 just want to say to Ms. Houghton, I believe and I've said
12 this previously. I believe that the fire department,
13 whatever happens there, fire department and the
14 professionals who are in the fire department and the police
15 department, they know responses times, and we did this back
16 when we did the rock different rocks some years ago.

17 And I'm sure that those professionals, those
18 subject matter experts will know what response times they
19 need to do with their position with me.

20 So I'm confident that that's going to happen. And
21 Mr. Repp, I will say that while I hear what you're saying
22 about, we will be powerless, but that happens all the time
23 when we do zoning cases. We do map amendments. But you
24 know, so far, I don't know if one, you know, people may not
25 have liked it, but I don't know of any that were so just so

1 egregious.

2 I mean, you know, I that's a personal,
3 interpretation and opinion. So, but I appreciate your
4 comments. I appreciate this whole panel.

5 I don't necessarily have any questions.

6 My colleagues have any questions?

7 None. Okay. All right.

8 Let's go through this -- the parties. Give me one
9 second, please. All right. Does the Office of Planning
10 have any cross?

11 Okay.

12 Does Chair Harris have any cross?

13 MS. HARRIS: No. Thank you.

14 CHAIRPERSON HOOD: Okay. Again and let me call it
15 anyway. ANC 2B? Not present.

16 Mr. Jones, you have any cross? Is Mr. Jones still
17 with us?

18 MR. JONES: My camera. I'm sorry. I don't see
19 the option to unmute.

20 At any rate, I did want to just -- you know what,
21 never mind. You guys have spent long enough with this. No
22 questions.

23 CHAIRPERSON HOOD: Okay. Mr. Adams, any cross?

24 MR. ADAMS: Thank you, Chairman Hood. No
25 questions.

1 CHAIRPERSON HOOD: Okay. Ms. Akel, any cross?

2 MS. AKEL: No. Thank you.

3 CHAIRPERSON HOOD: Okay. Ms. Feskanich, any
4 cross?

5 MS. FESKANICH: I just have one question for Mr.
6 Repp.

7 What did you mean by right, by right development
8 and Zoning wouldn't have any power over that?

9 MR. REPP: Sure. In a by right development, the
10 owner, the developer can just ask for permits. It doesn't
11 have to go to the Zoning Commission to get approval of any
12 variances or upzoning or anything.

13 So basically, it will not go back to the Zoning
14 Commission. One of the things the Zoning Commission
15 normally looks at is what are the adverse impacts, and it
16 will not -- it would not have the possibility of taking a
17 look at that, you know, if this were upzoned.

18 Before, and the thing to me is, and this came up
19 in I think Parisa's comments also, is that, you know, is the
20 cart before the horse here?

21 If this were -- if there were a request for
22 proposal and we had a specific development in front of you,
23 then it could go to Zoning Commission, but no, it's going to
24 the Zoning Commission before there's a specific proposal.

25 And in another development, on upper Connecticut

1 Avenue, the Office of Planning has already -- or DMPED
2 anyway, is moving ahead with an RFP before the upzoning
3 occurs.

4 Here, they're going with the upzoning before the
5 RFP. The process, procedure in upper Connecticut makes a
6 lot more sense to me.

7 MS. FESKANICH: Thank you, Mr. Repp. Just one
8 more quick question.

9 You mentioned response time and there should be
10 impact studies done. shouldn't those impact studies be on
11 the record, especially something like response times?

12 MR. REPP: Oh, I was not the one that testified to
13 that.

14 MS. FESKANICH: Oh, I'm sorry.

15 MR. REPP: There should be -- there definitely
16 should be impact studies, but that -- and they should be on
17 the record early, rather than later.

18 So sometimes the impact studies don't happen until
19 after a project's been approved, which is to me is wrong.
20 So.

21 MS. FESKANICH: Thank you. I don't have any other
22 questions, Chair Hood.

23 CHAIRPERSON HOOD: Thank you.

24 Mr. Hanlon?

25 MR. HANLON: Thank you, Chair Hood. Given the

1 lateness of the night, I think I'll only ask a couple of the
2 questions I had planned for Mr. Rapp. I don't have any
3 questions for the other witnesses.

4 Mr. Repp, you in your written testimony, you state
5 that a building with a lower height and density would be
6 consistent with the Comprehensive Plan. Could you explain
7 why that is?

8 MR. REPP: Well, I think I mean, the what the
9 Office of Planning here has said is, well, they believe on
10 balance, this is not inconsistent with a Comprehensive Plan.

11 Well, I'm turning this around and saying a less
12 dense lower building would be consistent with the
13 Comprehensive Plan. And frankly, on balance, I think
14 because the Office of Planning, you know, focuses so heavily
15 on affordable housing and as a matter of fact, that
16 affordable housing might not occur at all because of certain
17 exemptions from under the IZ program.

18 But there are a lot of other provisions in the
19 Comprehensive Plan, which is 1,500 pages long, that would be
20 consistent with this with a less high, less dense proposal.

21 So I think, my view is that on balance, a less
22 dense lower building would be consistent with the
23 Comprehensive Plan. So.

24 MR. HANLON: So is it your testimony that, in
25 looking at OP's testimony presentation to the Commission,

1 that OP is overweighting the affordable housing profit to
2 the exclusion of a number of other Comp Plan considerations?

3 MR. REPP: Exactly. Plus the affordable housing
4 requirement, both because of the OP is saying we're not
5 going to hold you to eight, you know, 10801 plus under IZ,
6 the BZA can exempt any development in full or in part from
7 affordable housing requirements.

8 So I don't think that they -- I think they have
9 over weighted it, but I don't think -- there's too much
10 flexibility on the government's part. So I don't think it's
11 something that we can all count on that there will be
12 affordable housing here.

13 MR. HANLON: My last question about the RFP
14 process and this will be my last question for the night.

15 We've heard about the RFP process, the RFP
16 process. But could you explain that briefly? Am I correct
17 that while the Council may hold a hearing on the RFP
18 process, there is, it's not a contested hearing. There is
19 no right to appeal from it. The citizens can say what they
20 want and the Council votes. Am I -- do I misunderstand that
21 process?

22 MR. REPP: No, that is the process and there's no
23 appeal from it. You know, with respect to the Zoning
24 Commission, you know, there is the possibility of appeal,
25 but there wouldn't be in the case of the Council.

1 To me it's much more likely that the adverse
2 impacts of this development will be aired before this
3 Commission than they would be before the DC Council.

4 And I want to thank all the commissioners on here,
5 all four of you, sitting through four nights, and obviously,
6 they'll be a fifth.

7 I think you've, you know, this -- you ought to be
8 commended with the way you've sat through all this
9 testimony.

10 MR. HANLON: Well, thank you, Chair Hood, and
11 Commissioners. I don't have any more questions.

12 CHAIRPERSON HOOD: Okay. I have one quick
13 question for Mr. Repp.

14 Mr. Repp, you mentioned how this process is going
15 versus something up on Connecticut Avenue. Who decides
16 that? How can we get it across the board that this is the
17 way this -- what is your advice of how to move in that
18 fashion?

19 They've brought this case to the Zoning Commission
20 first. The other case went through the RFP process first.
21 Who decides that and how come it's not -- well, you may not
22 -- I may need to ask the government.

23 How come it's not the same order each time?

24 MR. REPP: Well, I think the process, as I said, I
25 think the process up I think the process up there on

1 Connecticut Avenue makes a lot more sense because that means
2 before it comes to you, there will be a specific project
3 that people can you know, praise, or criticize.

4 And here, it's you're an action in the dark. So.

5 CHAIRPERSON HOOD: Okay. Again, I'm going to ask
6 my counsel to help me understand what Mr. Repp is saying.

7 I mean, I understand what Mr. Repp is saying.
8 That just adds on to my other issue about not talking about
9 a project and a map amendment case in which I'm sure I'm
10 going to get the same dissertation, but I've always asked
11 that question.

12 And I think Mr. Rep and I are finally really on
13 the same page to a point, so I'll leave it at that.

14 All right. Thank you, Mr. Repp.

15 MR. REPP: You're welcome. Thank you.

16 CHAIRPERSON HOOD: Let me thank this whole panel.
17 We appreciate you all staying with us until nine o'clock.
18 And let's see.

19 Let me see my colleagues are like they're ready to
20 go another hour. Are you? Okay.

21 I got that. That was unanimous, including me.

22 All right, Ms. Schellin, let's talk about, next
23 steps.

24 MS. SCHELLIN: Next steps are, February 26 at four
25 o'clock and we continue with the list. And at the rate

1 we've gone tonight, I'm not so sure we'll finish with the
2 list that night.

3 We've had a lot of cross, which is a bit unusual.
4 We don't see that usually on when they're in opposition and
5 the parties are in opposition, but that's the way they've
6 gone. And, so that's why I'm not so sure we'll finish on
7 26th.

8 CHAIRPERSON HOOD: Okay. So here's what I want to
9 do. On the 26th, we're going to announce another night.

10 MS. SCHELLIN: Yep.

11 CHAIRPERSON HOOD: I want to have a closed
12 meeting, and I need Mr. Ritting to help me. I want to have
13 a closed meeting.

14 Maybe I'll open up the next meeting on 26th, and I
15 just need about 10 minutes with my colleagues in a closed
16 meeting. I don't know what I need to do.

17 MS. SCHELLIN: You need to go ahead and do that
18 tonight? Go ahead and make that motion if you have the
19 paperwork to pull up. You want to read that?

20 CHAIRPERSON HOOD: I'm going to go off the top of
21 my head.

22 I don't know if I have anything specific.

23 MS. SCHELLIN: Okay.

24 CHAIRPERSON HOOD: Mr. Ritting, is that the right
25 -- can I do that tonight or do I have to wait until the

1 meeting starts next time?

2 MR. RITTING: No, I think the idea is that you
3 want to you want to give the notice that you're going to
4 have to close the meeting and --

5 MS. SCHELLIN: Yeah. Five days prior.

6 MR. RITTING: Yeah. If we don't have the text
7 exactly prepared from a script, that's okay. You can go
8 ahead.

9 CHAIRPERSON HOOD: I'll wing it. I'll wing it.
10 Okay. I move that the Zoning Commission have a closed
11 meeting on February 26th, after the opening of the meeting
12 that we're going to -- I mean, the hearing that we're going
13 to have on 26th on Zoning Commission --

14 MS. SCHELLIN: Did you want to do it 15 minutes
15 prior, instead of after?

16 CHAIRPERSON HOOD: No. I --

17 MS. SCHELLIN: You want to do it after? Okay.
18 Sorry. (Crosstalk).

19 CHAIRPERSON HOOD: I want to do it -- I want to do
20 it 10 minutes into the meeting.

21 CHAIRPERSON HOOD: So I move that we have a closed
22 meeting after we announced the meeting for ten minutes on
23 February 26th on Zoning Commission case number 23-02 and I
24 ask for a second.

25 It's been moved in properly second.

1 Any further discussion?

2 Not hearing any, Ms. Schellin, would you do a roll
3 call, please?

4 MS. SCHELLIN: Yes, sir. Commissioner Hood?

5 CHAIRPERSON HOOD: Yes.

6 MS. SCHELLIN: Commissioner Stidham?

7 COMMISSIONER STIDHAM: Yes.

8 MS. SCHELLIN: Commissioner Miller?

9 Commissioner Imamura?

10 COMMISSIONER IMAMURA: Yes.

11 MS. SCHELLIN: The vote is four to zero to one to
12 hold a closed meeting, but pursuant to the Closed Meetings
13 Act, but not to hold a discussion with the legal counsel,
14 but not take any votes ten minutes into the hearing that
15 starts on February 26 in case number 23-02.

16 The minus one vote being the third mayoral
17 appointee seat, which is vacant.

18 Hopefully, that captured it.

19 CHAIRPERSON HOOD: Okay. Thank you.

20 Any questions? Anything else?

21 Okay, Zoning Commission will meet again. Give me
22 one second.

23 We'll meet again on February the 15th, and we will
24 have Zoning Commission case number 23-19, Elm Gardens Owner,
25 LLC, and the NHP Foundation on these same platforms.

1 With that, I want to thank everyone for their
2 participation tonight, and we will reconvene on February
3 26th on this case. Good night, everyone.

4 MS. SCHELLIN: Thank you.

5 (Whereupon, the meeting was adjourned at 9:00
6 p.m.)

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REPORTER CERTIFICATE

This is to certify that the foregoing transcript

In the matter of: Virtual Public Hearing

Before: DCZC

Date: 02-12-2024

Place: via remote link

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

Lee Ann Tardieu

Reporter Name