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GOVERNMENT OF THE DISTRICT OF COLUMBIA
Zoning Commission

Public Hearing

Case No. 15-19 [411 New York Holdings, LLC. -
Consolidated PUD and Related Map Amendment at Square
3594, Lot 800.]

6:34 p.m. to 10:50 p.m.

Tuesday, February 23, 2016

Jerrily R. Kress Memorial Hearing Room
441 4th Street, N.W., Suite 220 South
Washington, D.C. 20001

1 Board Members:

2 ANTHONY HOOD, Chairperson

3 MARCIE COHEN, VICE CHAIR

4 PETER MAY, Commissioner

5 ROBERT MILLER, Commissioner

6 MICHAEL TURNBULL, Commissioner

7

8 Office of Zoning:

9 SHARON SCHELLIN, Secretary

10

11 Office of Planning:

12 JENNIFER STEINGASSER

13 MEGAN RAPPOLT

14 JOEL LAWSON

15

16 DDOT:

17 JONATHAN ROGERS

18

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

2 CHAIRPERSON HOOD: Okay, we're ready to
3 begin. February 23rd, 2016. We're located in the
4 Jerrily R. Kress Memorial Hearing room. We're
5 reconvening Zoning Commission Case No. 15-19.
6 Joining me this evening -- my name is Anthony Hood.
7 Joining me this evening are Vice Chair Cohen,
8 Commissioner Miller, Commissioner May, and
9 Commissioner Turnbull.

10 We're also joined by the Office of Zoning
11 staff, Ms. Sharon Schellin, as well as the Office of
12 Planning staff, Ms. Steingasser, Ms. Rappolt, Mr.
13 Lawson and the District Department of Transportation,
14 Mr. Rogers.

15 This proceeding is being recorded by a court
16 reporter and is also webcast live. Notice of today's
17 hearing was published in the D.C. Register and copies
18 of that announcement are available to my left on near
19 the door.

20 Tonight the Commission intends to adhere to
21 the time limits as strictly as possible. We will be
22 reconvening where we have left off from our previous
23 hearing. All persons appearing before the Commission
24 tonight are to fill out two witness cards. These
25 cards are located to my left on the table near the

1 door. Upon coming forward to speak to the Commission
2 please give both cards to the reporter sitting to my
3 right before taking a seat at the table.

4 When presenting information to the
5 Commission, please turn on and speak into the
6 microphone first stating your name and home address.
7 When you are finished speaking please turn your
8 microphone off so that your microphone is no longer
9 picking up sound or background noise.

10 The decision of the case of the Commission in
11 this case must be based exclusively on the public
12 record. To avoid any appearance to the contrary the
13 Commission requests that persons present not engage
14 the members of the Commission in conversation during
15 any recess or at any time. In addition there should
16 be no direct contact whatsoever with any commissioner
17 concerning this matter, be it written, or electronic,
18 or by telephone. Any materials received will be
19 discarded by the Commissioner without being read, and
20 calls will definitely be ignored.

21 The staff will be available throughout the
22 hearing to discuss procedural questions.

23 Would all individuals wishing to testify
24 please rise to take the oath? And even if you took
25 the oath the first time I ask that you stand and take

1 it again. Ms. Schellin, would you please administer
2 the oath? Everyone who wants to testify, if you
3 could stand and take the oath?

4 MS. SCHELLIN: Please raise your right hand.
5 [Oath administered to the participants.]

6 MS. SCHELLIN: Thank you.

7 CHAIRPERSON HOOD: One of the statements that
8 I save for last purposely, which is actually at the
9 beginning of my remarks, because last time some
10 people came in late. So I'm going to ask, let's work
11 together as a team. We must ask you to refrain from
12 any disruptive noises or actions in the hearing room,
13 including the display of any signs or objects. So if
14 we don't see anyone -- hopefully we don't have that
15 issue tonight, but there are no signs permitted and
16 we're not going to deal with any disruptive behavior.
17 Okay? In that fashion.

18 Okay. And I want to thank my colleagues. We
19 were just here last night. And I want to thank
20 everybody who was here last night for coming back
21 tonight, and who will be back here Thursday night for
22 another hearing. So I want to thank -- I'm not sure
23 whose idea it was for us to -- And I want to thank
24 the Vice Chair who, in the -- Commissioner Miller for
25 working this morning. I believe you all did the BZA.

1 All day.

2 Any more thank yous? Okay. I think I got
3 all --

4 MR. TURNBULL: Mr. Chair, it's called love.

5 CHAIRPERSON HOOD: Is that what it is?

6 MR. TURNBULL: It's love.

7 CHAIRPERSON HOOD: Okay. Great. Great.

8 Okay, Ms. Schellin, do we have any preliminary
9 matters?

10 MS. SCHELLIN: No, sir.

11 CHAIRPERSON HOOD: And I think, colleagues,
12 we know what the order we're going to start back with
13 the list that we had, that we have, and we're going
14 to continue that, and we'll hear from the party in
15 opposition after this.

16 All right. Is the party in opposition
17 present?

18 Mr. Arden is present? Is he going to lead
19 tonight, or someone else?

20 MS. SCHELLIN: I haven't seen him yet.

21 CHAIRPERSON HOOD: Okay. Well, we're going
22 to go ahead and get started and maybe they'll join us
23 by the time we get to it. I do see some members who
24 are parties in opposition, so hopefully if your
25 representative is not here, that you can pull that

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1 together because we will keep moving.

2 Okay. Colleagues, does everybody have their
3 list in front of them?

4 And I'm going to ask, let me just say this up
5 front, because of the amount of the people, and I'm
6 not sure if we have people outside, but I'm hearing I
7 think and I know last time we did, we're working on
8 that, I want to make sure that we hear from everyone
9 tonight. So when the three minutes and the buzzer
10 goes off, I'm going to ask you to stop. So keep
11 watching those clocks, because I'm going to ask you
12 to stop. And I've also tasked the Vice Chair with
13 helping me to cut everyone off. Okay?

14 So work with us. We want to be courteous of
15 everyone's time and we want to hear from everyone,
16 because we appreciate it.

17 Okay. Let's go with Sarah Stevenson, Hussain
18 -- can anybody else make that out? Mohammed.
19 Hussain Mohammed. Sharon Din. Last name is Wilkins
20 -- Williams. Joshua Hoffman, Nate Scheible, Union
21 Arts, Ben Jenkins. It looks like Tony, Number 42.
22 Tom. Tom Garbrah. Gorbrah, G-O-R-B-R-A-H. Joshua
23 Jone. Is that Bejina or Benjamin?

24 MS. COHEN: Benjamin.

25 CHAIRPERSON HOOD: Benjamin Masa. Mason?

1 Masa? Joshua Levi. Jonathan Woollen. And this next
2 one, I'm sorry. And, you know what, I did learn to
3 read so I don't -- but I can't make this -- can
4 anyone make this next one?

5 MR. MILLER: No.

6 CHAIRPERSON HOOD: Can anybody make it out?

7 MS. COHEN: No.

8 CHAIRPERSON HOOD: Somebody with Union Arts.

9 MS. SCHELLIN: Diamante Parrish.

10 CHAIRPERSON HOOD: Yeah, that's the next one.

11 Yeah. Yeah, Diamante Parrish. Stephen Miller.

12 Sadiqua Inman. Brett Isaacoff. It looks like Jessie

13 Rubin Mahoney. McCorry. Dominique Perry. Zachary

14 Rothman. Victoria Rocco. Samantha Bastine.

15 Bastine. Bastine. Bastine. Dion, is that Dion?

16 Dior Brown. Greg Jones. Now here's one I know I

17 can't get wrong, Violet Green. King. I did get it

18 wrong. Violet King. Okay. Sixty. Chris Simpson.

19 Oh, there's stuff on the back.

20 Ms. Schellin, is the back -- on the back

21 first?

22 MS. SCHELLIN: [Speaking off microphone.]

23 CHAIRPERSON HOOD: Go up to -- okay. Okay.

24 Chris Simpson. Courmey Elizabeth -- Courtney

25 Elizabeth Hester Green. Or, Courtney Elizabeth and

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1 Hester Green. Christopher Lenyon. Erik Moe.

2 Let me ask this, did anybody sign this list?

3 MS. SCHELLIN: And there's people -- just to
4 update, there is about 30 people downstairs, and
5 until 10 people testify we have to ask them to then
6 go downstairs so that those people can come upstairs.
7 So.

8 CHAIRPERSON HOOD: Let me stick with the
9 list. I was going to --

10 MS. SCHELLIN: Yeah.

11 CHAIRPERSON HOOD: -- deviate from it, but
12 let me stick with the list. Where did I stop?

13 MS. SCHELLIN: Sara Murphy.

14 CHAIRPERSON HOOD: Sara Murphy. Can somebody
15 help me with the next one? Mona Martinez. Adriana
16 Cotos. Cotos. Julianne Brienza. Ravon Ruffin. Ian
17 or Ian S-V-E-N-ON-I-L-S. U-S. Anna Philipp.
18 Elizabeth Parmenter. Parmenter. Parmenter. Mensa
19 Kondo. Did I call this name, Ian --

20 MS. SCHELLIN: No, that's a different one.

21 CHAIRPERSON HOOD: Oh, okay. Ian McCone,
22 McCorm. I can't make out -- last name is J. Donkay
23 J. D-O-N-K-O-L-A J. Yae Chung. Jonathan Harmon.
24 Christopher B. Clayton. Benjamin Jackson. This is
25 like Josh Pearson? No, Josh -- number 19. Oh, Josh

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1 Pearson. Okay. Samantha Pearson. Jonathan Howard.
2 Tim Mahi. Tim Mahi, M-A-H-I. Mahi. Anthony Waller.
3 Walker. Finally got one. How many names have I
4 called. I got three. I'm doing good. I've called
5 probably about 30 names. Or maybe 40.

6 Okay. Ayama Zaire. Charlene is that a M?
7 Hebron or Mebon. Redd. Okay. And then this next
8 name, Temsgen "The Viking." Contreas. T-M-S-G-N,
9 Contreas. Debbie Vin -- I can't. Desiree Vann
10 Frederic. See something, maybe I can take these off
11 of them. No, this is --

12 Okay. Morgan Hungerford. Kevin Chambers.
13 Sheldon Scott. Ilaf Ayyash. A-Y-Y-A-S-H. Okay.
14 Great. David Klinger. Joseph Bentley. Andrew
15 Flores. Looks like Richard Howard, or Richard
16 Howart. Austin Weatherington. Ben Sie.

17 MS. SCHELLIN: Usie.

18 CHAIRPERSON HOOD: Usie. Jessica -- it's not
19 like my colleagues really know. They're just
20 guessing like I am. Jessica Cemani. Cemani. Did I
21 get all the names we have?

22 [Discussion off the record.]

23 CHAIRPERSON HOOD: That's everybody? Okay.
24 Okay. Frederick Lawrence. Rose Jaffe. Anna A.
25 What is it?

1 MS. COHEN: Just Anna.

2 CHAIRPERSON HOOD: Anna, well, it's Anna A.
3 Anna. Okay. Anna. I thought it was Anna A. Ann.
4 Anna. Anna. I thought that was Anna.

5 Chris Ridler. I need one more person. Two
6 more. Nicholas Sommaripa. Okay. And Phil Hutnet.
7 Hutnet. Hutnet. Phil Hutnet.

8 Okay. I just want one person to raise their
9 hand that wants to testify.

10 If you can come up, ma'am, you're the first
11 one to raise your hand. I'll get to everybody. I
12 just wanted to get full table here. Okay. You have
13 three minutes, and remember, we're going to cut you
14 off. Not cut you -- I don't like to use that word,
15 cut off. But we're going to ask you to stop when it
16 rings so, because we want to hear from everybody.
17 Okay?

18 So let's start to my right, your left, and
19 you may begin. Everybody has three minutes.

20 They must have used this earlier. Okay. You
21 may begin.

22 MS. STEVENSON: Hi, my name is Sarah
23 Stevenson. I'm a D.C. based small business owner,
24 film maker, and musician, and for my testimony if I
25 may, I'd like to show a small two-minute video that's

1 currently on the screen, if that's okay with
2 everyone. Okay.

3 Sure, and this was actually made with another
4 D.C. based film maker, Jen Cantano, who is over there
5 right now. And we thought that -- we filmed this
6 over the past several weeks in the Union Arts space,
7 and we feel that it helps to showcase the culture,
8 creativity, and comradery that happens there on a
9 daily basis.

10 Can you get sound?

11 [Thereupon, the video recording was played
12 for the record.]

13 CHAIRPERSON HOOD: Thank you. That was very
14 well done and it was very well timed. Thank you.
15 Next.

16 MR. LENYON: My name is Christopher Lenyon.
17 I frequent Union Arts. I'm a producer, singer,
18 songwriter. And when I think of Union Arts it's
19 probably one of the most organic and probably one of
20 the most original places that I know within this
21 area. I've grown expedientially (sic) within this
22 facility as an artist, as a person, just overall as
23 part of my life.

24 And when I was here last we -- well, a couple
25 weeks ago when they spoke in regards to just the 30

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1 residents that would be displaced, it just seemed
2 absolutely crazy. Just within the area in which I
3 stay and work at is Mousai House and at least 50 to
4 60 people there every Tuesday night.

5 And, you know, each person within the
6 facility helps each other out, and you're just --
7 this hotel would just be displacing and will be
8 messing up an ecosystem of just unique individuals
9 that you know, need this place. You know, this is
10 survival of arts and I feel as though this is
11 something that's going to be taken away if this
12 building is turned into a boutique hotel which we
13 have millions of hotels within D.C., hundreds of
14 hotels in D.C., so that's pretty much all I had to
15 say about it. Thank you.

16 CHAIRPERSON HOOD: Thank you. Next.

17 MR. WALKER: Hi. My name is Tony Walker and
18 I've prepared a statement to share. As an
19 independent musician on the District of Columbia's
20 diminishing artist landscape, I'd like to
21 respectfully state my dismay for the disregard of
22 artists at the Union Arts building at 411 New York
23 Avenue regarding Case 15-19.

24 The caliber and diversity of devoted
25 professional artists frequenting the space is

1 unparallel. Nearly two years ago a small
2 experimental showcase in the building led directly to
3 my greatest experience as a musician. I met a Grammy
4 winning rock vocalist by the name if Julian
5 Casablancas. He sings with the Strokes, and after
6 performing after him at a very intimate small
7 showcase I was invited with him to tour throughout
8 the country. That kind of opportunity can only come
9 through an organic grass-roots, very intimate artist
10 collective and I don't think a commercial venture
11 could replicate that.

12 I was afforded the opportunity to reshape the
13 prejudices and assumptions associated with the young
14 black musicians, and that came as a result of Union
15 Arts' philosophy and existence, and then to snatch
16 this away and replace it with at least what I
17 perceive as a disingenuous boutique exploit, saddens
18 me.

19 One would assume that the ongoing
20 displacement of over 40,000 native black constituents
21 over the last decade is enough. The proposed hotel
22 development project by 411 New York Holdings, LLC.,
23 that you're considering, is a leap backwards for the
24 city's creative community.

25 Just, you know, in closing, Union Arts isn't

1 only a place of practice and rehearsal and an
2 opportunity for me to expand as a musician and as an
3 artist and as a multi-faceted artist, but it's also
4 been through Mousai House it's been a place of
5 fellowship and a place where I could even, you know,
6 study for certifications that have led to my job that
7 supports my art, to my passion.

8 So yeah, yeah, that's it.

9 MR. SCOTT: My name is Sheldon Scott and I
10 live at 1923 11th Street Northwest, and I am a former
11 ANC Commissioner for single-member district 1A-03 in
12 Columbia Heights. I am currently on the Mayor's
13 Advisory Board for the LGBTQIA Affairs, and I am also
14 an artist. I am represented by Congress Smith
15 Contemporary Art Gallery and Rossen Union Literary
16 Agency. I am formerly of -- I currently have a
17 studio on H Street Northeast, and I have formerly
18 been at recreative spaces on Rhode Island in
19 Northeast, and I've also been at 52 O Street,
20 Northwest.

21 And my personal connection to Union Arts, one
22 of my most iconic series of works was shot in the
23 photo studio being held by Photographer Josh Kogan in
24 that space. I'm also an alumni if the Emerge Art
25 Fair, the Capitol French Theater Festival, and as a

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1 business manager I supported the WPA, CUDC, Source
2 Theater Festival, Emerge, Hamiltonian, D.C. Arts and
3 Humanities Commissions, Capitol Fringe Studio
4 Theater, Woolly Mammoth Theater, Transformer and
5 others. And I come to you today to ask you to not
6 support the application for the PUD as this
7 particular PUD does not support a public benefit.

8 According to Chapter 4, Section 2403.2 of the
9 D.C. Zoning Plan Unit Development Procedure, it is
10 incumbent on the developer to have a plan that must
11 include a public benefit. And I implore you that a
12 96 percent decrease net loss of footage is not a
13 public benefit for any of the artist constituencies
14 that live in there, and for the general Washington,
15 D.C. public.

16 And I implore you to make your decisions
17 based on the fact that this PUD does not offer a
18 realistic public benefit. Thank you.

19 MR. CHAMBERS: Hi, I'm Kevin Chambers. I'm a
20 one-time disciplinary artist here in D.C.; came all
21 the way from here from Dallas, Texas about four years
22 ago. Ever since I've been here I've been to Union
23 Arts property over at least 15 to 20 times since I've
24 been here. And on top of that I am a musician and
25 I've probably performed there about a good 30 times.

1 And from what I see what's going on with the
2 zoning meetings today, as far as we're having this
3 new building placed here, I really think that it
4 hurts the community. It's because I've seen so much
5 as far as artists when it comes to musicians, artists
6 when it comes to graphic design, artists when it
7 comes to painting. Anything that's in the creative
8 field. I've seen a lot and I really feel that this
9 is a place where it holds that.

10 The reason I'm saying this is because over
11 the time that I've been dealing with a lot of artists
12 and dealing with a lot of people, I always find that
13 this is a place where you can go express who you are.
14 You're not confined to being in a corporate type
15 world as far as when you have to go over to like U
16 Street area and deal with those type of venues.

17 I also have never been in a situation where
18 I've been in other places besides Union Arts that
19 gave me a better opportunity to continue to work here
20 in D.C., as far as being freelance person in
21 multimedia. I do not back this up. This is for the
22 simple fact that, like, he said next to me, that it
23 doesn't add value. It does take away a lot of value
24 as far as creativity. You're not displacing 30
25 people. You're not displacing 100 people. You're

1 displacing thousands of people that come to this
2 place because it's just -- yeah, just a little bit
3 heated myself thinking about it; about what's going
4 on and about all the numbers that you hear and the
5 numbers that's definitely going to be taken away.

6 One thing I'd like to say, though, is --
7 that's all I really had to say. I'm sorry. It's
8 just, I spoke my piece about what's going on in the
9 D.C. area and how this is a place that is -- this
10 boutique hotel is not helping the area. But that's
11 all I have to say.

12 MR. SUMMARIPA: Hello. My name is Niko
13 Summaripa. I moved to Washington, D.C. over 14 years
14 ago and I call this place home. I work in strategy
15 and management consulting. My job is to provide
16 innovative solutions to my client's most challenging
17 problems. To be effective I need to regularly
18 challenge the paradigms I'm familiar with and the way
19 I see the world.

20 Each time our city's artistic infrastructure
21 takes a hit, the closing of the building known as
22 Gold Leaf, the closing of the project for the
23 Institute for Contemporary Expression, and with your
24 approval, the property at hand, my job becomes much
25 harder and we, as a city, lose our competitive edge.

1 The Zoning Commission, as I understand, is
2 charged with preparing, adopting, and subsequent
3 amending zoning regulations and zoning map in a means
4 not inconsistent with the Comprehensive Plan for the
5 National Capitol Area.

6 The plan says, "The ability of arts
7 organizations and artists to thrive in our city is
8 dependent on having a suitable production,
9 performance, and exhibition space. Many of these
10 facilities are completely absent in large parts of
11 the City. And where they do exist they may be
12 threatened by rising rents and redevelopment
13 pressure."

14 Goes on to say, "The City faces a persistent
15 need for the retention and further development of
16 affordable neighborhood arts facilities to foster a
17 more stable arts community."

18 Rather than doing the bidding of the hotel
19 developers, let's do as the Comprehensive Plan says.
20 Let's, as the plan says, increase the involvement of
21 the arts community and include artist considerations
22 in local planning and redevelopment initiatives,
23 identify, recognize, and support existing clusters of
24 arts establishments, and encourage the designation of
25 such areas as art districts, use zoning overlays to

1 promote and sustain art districts. Cities across the
2 country have developed a variety of tools to support
3 and retain their creative workforce. From business
4 improvement districts to the adoption of artist
5 friendly zoning standards, planning practices can
6 bolster the arts by supporting creative
7 professionals, end quote.

8 For our city to be a place for world class
9 innovators and problem solvers, we must adhere to the
10 insightful guidelines and policies laid out in the
11 Comprehensive Plan. We need to ensure our artists
12 have a place where they can create work that pushes
13 us out of our comfort zone and challenges the way we
14 see the world. A place where they can create work
15 that may not be appropriate for a boutique hotel
16 audience.

17 The proposed project, as it currently is
18 designed, is unquestionably inconsistent with the
19 plan. Thank you.

20 MS. JAFFE: Chairman Hood and Members of the
21 Zoning Commission, my name is Claire Jaffe and I'll
22 be speaking on behalf of my sister, Rose Jaffe, who
23 couldn't make it here because of a plane delay.

24 My name is Rose Jaffe. I live at 1467 Swan
25 Street Northwest D.C. I am a native Washingtonian

1 and I spent three years as part of the Union Arts
2 community active in 2B studios on the second floor.
3 With the help of my studio mates and other artists in
4 the building I spearheaded and organized three
5 building wide open studios, inviting folks to tour
6 the 34 artists studio spaces, talk with the artists,
7 and purchase work directly from them.

8 For those who do not make work out of a
9 studio full-time it may be hard to imagine the
10 critical role space plays in an artist's career. But
11 ask any artist, musical, visual, performance, what
12 they need and it is space. Space and community.

13 When I moved into 2B Studios a few months
14 after moving back to D.C. I found the space and
15 community I had been yearning for. What began as
16 just a studio evolved into an experience of
17 collaboration within the building and the community
18 outside. We hosted workshops, art builds, skill
19 shares, experimental dance performances, and curated
20 art shows. Having affordable space to connect, play,
21 experiment, fail, and succeed is important and I
22 believe necessary to a city that wants innovated and
23 unique work to come from locals.

24 The removal of affordable art space in D.C.
25 yanks people from the community that brings much

1 needed vibrancy and energy to this city. Without
2 space to make art, artists will leave, and so many
3 already have. I make a living on my art today and I
4 know I would not be doing that had it not been for
5 the integral role Union Arts played in my personal
6 career and the community support from other artists
7 in the D.C. community.

8 Preserving spaces like this is much bigger
9 than the building, or even the artists in it. It is
10 a signal to current and future artists that D.C. is
11 not a place to seek out affordable space and
12 cultivate and foster creativity. It is not a space
13 to make a life as an artist, and that is really a
14 shame.

15 Union Arts is not one of many similar spaces
16 in D.C. It is one of a kind and the last of its
17 kind. Thank you for listening.

18 MS. JOHNSON: Good evening, everyone. My
19 name is Lindsay A. Johnson. I live at 1471 Park Road
20 Northwest. I'm a six-year resident of Ward 1.

21 I moved to D.C. with a rather narrow idea of
22 what to expect. It took me roughly a year to
23 discover the real fabric of this city. And once I
24 did, I immediately felt at home. Can you guess where
25 this happened? Union Arts.

1 Since then I have shared many wonderful times
2 with the Union Arts community. I have attended shows
3 and I've thrown events for the organization that I
4 represent, called the Intentional, which is one of
5 the only literary arts magazines here in D.C.

6 I also previously had a studio with 2B
7 Studios with Rose Jaffe. And I used that for my
8 painting and illustration career, which is how I
9 support myself.

10 I have had many wonderful times with this
11 community and I am saddened to hear about this plan
12 to demolish and displace this Group. As Americans we
13 value and applaud our opportunity to pursue our
14 goals, and to make a living out of our dreams. What
15 better city is there to represent such an aspiration
16 than our Nation's capital? Shouldn't our capitol
17 represent the diverse fabric that forms our patchwork
18 nation? Don't we aspire to reclaim the criticism of
19 living in the beltway bubble?

20 Destroying affordable art spaces is, in
21 effect, further moving our city along the unfortunate
22 trend of other once unique cities in the U.S. To
23 script otherwise organic interactions. To create a
24 sterile environment that squashes innovation and
25 individualism when such aspects have already been

1 established.

2 I encourage you to consider reevaluating the
3 designated use of what is proposed in place of Union
4 Arts, a boutique hotel. And I, along with the others
5 here tonight, both present and otherwise, can
6 guarantee our great city will be much stronger for
7 it. Thank you very much.

8 CHAIRPERSON HOOD: Okay. I want to thank all
9 of you all for your testimony. Let's see if we have
10 any questions.

11 Okay. Does the applicant -- hold on a
12 second. I've got an order to go in. Does the
13 applicant have any cross?

14 [No audible response.]

15 CHAIRPERSON HOOD: Okay. Can someone who you
16 may not have a question for, or you can -- okay, she
17 doesn't have a question for you. So if you could
18 just stand close by, someone else may have a
19 question.

20 MS. MOLDENHAUER: Good evening. My first
21 question is for Sarah. Was your video's intent to
22 show the city-wide focus on the need for global focus
23 on affordable housing for artists?

24 MS. STEVENSON: We're actually trying to
25 create a larger video that will portray that. This

1 was just done to have for the hearing today.

2 CHAIRPERSON HOOD: Ms. Moldenhauer, could you
3 identify yourself, please, for the record?

4 MS. MOLDENHAUER: Sorry. Meredith
5 Moldenhauer from the law firm of Griffin, Murphy,
6 Moldenhauer, and Wiggins, counsel for the applicant.

7 Tony, I believe you testified about musical
8 space. Are you aware of the revised plans on the B1
9 level?

10 MR. WALKER: Yes.

11 MS. MOLDENHAUER: So you're aware that the
12 applicant has revised the plans to provide new space
13 down there?

14 MR. WALKER: Sure.

15 MS. MOLDENHAUER: Do you know what that space
16 is for?

17 MR. WALKER: Tell me.

18 MS. MOLDENHAUER: I'm asking you if you know
19 what it's for.

20 MR. WALKER: Yeah.

21 MS. MOLDENHAUER: What is it for?

22 MR. WALKER: I'm not sure what's it for.

23 MS. MOLDENHAUER: So you're not then, aware,
24 of the changes on the B1 level?

25 MR. WALKER: No, what are the changes on the

1 B1 level?

2 MS. MOLDENHAUER: I'm asking you the
3 question. This isn't a question -- an opportunity
4 for you to ask me questions.

5 I have a question --

6 CHAIRPERSON HOOD: Let me just say this, if
7 you don't know, you just don't know. Just say no, I
8 don't know.

9 MR. WALKER: Okay.

10 CHAIRPERSON HOOD: Okay. That will save us
11 some time.

12 MR. WALKER: Right. Right.

13 CHAIRPERSON HOOD: If you don't know, you
14 just don't know.

15 MR. WALKER: Right.

16 MS. MOLDENHAUER: The next gentleman with the
17 glasses. I forgot -- I didn't write your name down.
18 I didn't get it. I'm sorry.

19 MR. SCOTT: Sheldon Scott.

20 MS. MOLDENHAUER: Sheldon. Mr. Sheldon, you
21 first started off your testimony by stating that you
22 were represented by a curator. Is that correct?

23 MR. SCOTT: No, it's a commercial gallery.

24 MS. MOLDENHAUER: A commercial gallery. Do
25 you pay a commission to that commercial gallery to

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1 show your art?

2 MR. SCOTT: No.

3 MS. MOLDENHAUER: How do you pay to put your
4 artwork in that commercial gallery?

5 MR. SCOTT: I don't pay to put my artwork in
6 a gallery. Do you understand the -- do I need to
7 explain the gallery system? Is that what you're
8 asking me, how it works traditionally?

9 MS. MOLDENHAUER: Do you pay a commission?
10 Do you pay a commission? I'm trying to make sure
11 that everyone understands. So do you pay a
12 commission when something is sold at the gallery?

13 MR. SCOTT: I guess, should I answer the
14 question how a gallery system usually works?

15 CHAIRPERSON HOOD: I think what you want to
16 do is answer the question she asked.

17 MR. SCOTT: Okay. The question is, do I pay
18 a commission? I answered that question. I don't pay
19 to have my work displayed in a gallery.

20 MS. MOLDENHAUER: Then I rephrased to ask if
21 you pay something when your artwork is sold.

22 MR. SCOTT: The gallery takes a percentage of
23 sale of an artwork, but not for display, for sale.

24 MS. MOLDENHAUER: And what is that
25 percentage?

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1 MR. SCOTT: It depends. It varies. It's a
2 varying percentage based on the origin of the sale
3 and the place of the sale.

4 MS. MOLDENHAUER: Can you give us an idea? I
5 mean, I think one of the thing that we'd be
6 interested to understand that what you pay in the
7 varied perspectives for -- a range.

8 MR. SCOTT: It's a range. It depends on if
9 that work is sold at a near market, and it also
10 depends on the sale originated in the gallery during
11 a show, or if it was an off show. So there are many
12 different variables. There is no contract and there
13 is no standard. It just depends on the situation as
14 to what the gallery will take for work that's been
15 sold.

16 MS. MOLDENHAUER: Are we talking about five
17 percent of the sales price, 10 percent of the sales
18 price?

19 MR. SCOTT: It could range anywhere from
20 five, and I've seen you know, markets that have
21 withstood as much as 50 percent.

22 MS. MOLDENHAUER: Niko.

23 MR. SOMMARIPA: Yes.

24 MS. MOLDENHAUER: You said that you've been
25 in the District for 14 years?

1 MR. SOMMARIPA: I moved here over 14 years
2 ago.

3 MS. MOLDENHAUER: Did you participate at all
4 in the Florida Area Small Area Market Plan that
5 occurred in 2007 for this area?

6 MR. SOMMARIPA: No.

7 MS. MOLDENHAUER: Are you aware that that is
8 a comprehensive process to have an opportunity for
9 people to talk about what they see the future for
10 different areas to be identified for?

11 MR. SOMMARIPA: I was not involved in it.
12 I'm not familiar with it.

13 MS. MOLDENHAUER: Thank you.

14 CHAIRPERSON HOOD: Okay. Thank you. Who did
15 we designate for the ANC? Ms. Schellin, could you
16 help me out? I know it's 5D. But did we designate -
17 - nobody was here?

18 Is there anyone -- I don't see, I guess,
19 Kathy Henderson. I don't see her. She's --

20 MS. MOLDENHAUER: Ms. Henderson is no longer
21 the chairperson.

22 CHAIRPERSON HOOD: Right. I realize that,
23 but when this was going on she was the chair. Anyone
24 here from ANC 5D?

25 Okay. Not seeing anyone. So what we will do

1 is go to Mr. Otten for any cross. You have any cross
2 of this panel?

3 Okay. If you can use the seat that Ms.
4 Moldenhauer is in? Do you have any cross for the
5 young lady that's in Ms. Moldenhauer's seat?

6 UNIDENTIFIED SPEAKER: I do actually.

7 CHAIRPERSON HOOD: Okay. Well, is there
8 anyone at the table you don't have cross for? Okay.
9 There we go.

10 MR. OTTEN: Okay. My name is Chris Otten.
11 I'm here for the record representing the 411 Artist's
12 Union. So, let's start with Ms. Johnson.

13 MS. COHEN: Excuse me. I just have a
14 question, a procedural question. If they are part of
15 the 411 Tenant list, I presume that you're
16 representing them so cross-examination wouldn't be
17 appropriate. Is that correct, Ms. Schellin?

18 MS. SCHELLIN: They would not be -- they
19 should not be testifying as individuals if they're
20 part of his panel.

21 MS. COHEN: Okay.

22 CHAIRPERSON HOOD: Is there anyone up here
23 who is part of your opposition group?

24 MR. OTTEN: No.

25 CHAIRPERSON HOOD: Okay. All right.

1 MS. COHEN: Thank you.

2 MR. OTTEN: Okay. Thanks for the
3 clarification.

4 Ms. Johnson, you said you felt at home in
5 D.C. when you kind of settled in at Union Arts,
6 right?

7 MS. JOHNSON: Yes, that's correct.

8 MR. OTTEN: And you're concerned, it sounded
9 like your testimony said you're concerned about
10 destroying the city's -- this pattern of destroying
11 affordable art spaces.

12 MS. JOHNSON: Yes, that is correct. That is
13 my concern.

14 MR. OTTEN: And in its place kind of, there's
15 concerns about these sterile artist environments.

16 MS. JOHNSON: Yes, that is correct.

17 MR. OTTEN: Have you looked at the
18 applicant's presentation of the artist environment
19 for this boutique hotel?

20 MS. JOHNSON: I have.

21 MR. OTTEN: Tell us about how that made you
22 feel and kind of how you would describe that space
23 versus what -- your home at 411.

24 MS. JOHNSON: Sure. I think a lot of times,
25 you know, architects and designers come together very

1 well intentioned, and they, in their own right are
2 artists as well, to a certain extent. But creating
3 something that is so perfect and intentional can
4 sometimes destroy the very ideas and innovations that
5 happen through play and through messing up and
6 through coming together not really expecting
7 something to come out of it.

8 And so their, the proposal that I've seen,
9 the design and everything, although aesthetically
10 pleasing, I'm sure, to a lot of folks, I don't see it
11 as anything quite necessarily unique. And also to me
12 that's just not the point of an artist space to have
13 it be designed by other people.

14 MR. OTTEN: Thank you. To that end are you
15 concerned that the family at 411 now would have to
16 compete to get into that space? In other words, some
17 folks may not make it, some --

18 MS. JOHNSON: Yes.

19 MR. OTTEN: How does that concern you?

20 MS. JOHNSON: Sure. I mean, that concerns me
21 because you know, we already -- and I say we, as
22 artists here in the city, in the District, we already
23 have to compete a lot for the minimal spaces that we
24 do have. And like I mentioned, I've already been
25 displaced from two other artist studios that were

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1 redeveloped. And that was what we called Gold Leaf
2 and Civilian Arts, which just got moved to another
3 place. They relocated.

4 So I'm used to this pattern and I know that
5 whenever this happens a good portion of the artists
6 do not find a new space. So I know from experience.

7 MR. OTTEN: Thank you for that. Why don't we
8 go to Mr. chambers? You were talking about what
9 we're seeing in the District of Columbia, this
10 pattern of displacement, was it?

11 MR. CHAMBERS: Right.

12 MR. OTTEN: Were you at the last hearing by
13 chance?

14 MR. CHAMBERS: Yes.

15 MR. OTTEN: Did you hear the applicant say
16 this is, you know, this project is about, we have to
17 look at this through the lens of pure economics?

18 MR. CHAMBERS: Yes.

19 MR. OTTEN: How did that make you feel when
20 you heard that?

21 MR. CHAMBERS: I really didn't like it, just
22 off the sense that, understand that you know, that
23 people have the ability to buy a location and do what
24 they want with it. But also don't like that for the
25 fact that the people who are there in the building,

1 you know, might not have the same freedom, you know,
2 might not have the same type of money in their
3 pocket, you know, to continue on.

4 And as far as economically, you're removing
5 people and you're not bringing value back to it by
6 creating competition, by, yeah, just the one thing,
7 you're just creating competition and just minimizing
8 the space. And I think there was a time where they
9 said that we only can be in that artist space for a
10 certain amount of time during the day. Then there's
11 certain times of the day that people can go in and
12 just go enter our space and just take a look at it
13 without our permission if I'm not mistaken. That's
14 what was told last time. And I don't think that's
15 right as far as where you trying to disrupt time with
16 the artist because we are spontaneous. You know,
17 we're not just people that say hey, you know, we're
18 getting up at 7:00 this morning and the place opens
19 at 9:00, but we got to be out by 2:00 so we got to
20 get out this idea in between this time. Don't know
21 if that's the time or not, but just hypothetically
22 speaking.

23 MR. OTTEN: Sure.

24 MR. CHAMBERS: You know, that's not great.

25 MR. OTTEN: Some constraints there, it sounds

1 like.

2 MR. CHAMBERS: Yes.

3 MR. OTTEN: Would you say -- how many spaces
4 are you aware of like 411 in D.C. right now?

5 MR. CHAMBERS: This is the only one, and I
6 would say just from my experience, from moving from
7 Texas, Antebellum, this, there was this -- this is
8 the same exact situation where you get people who
9 have a lot of money. You know, they have the freedom
10 to do what they have to do as far as making the
11 purchase of a building and taking it over. And after
12 a while, you know, it doesn't carry a culture. And
13 all you do -- all you see is a lot of stuff that are
14 fads, you know, you don't see the word longevity
15 being in the building, or being in that space.

16 Then after a while, which I seen this happen
17 in other places as well besides where I used to live,
18 that it, you know, it falls. You know, because hey,
19 it's not real art. You know, it's not real people.
20 You're getting people from other states and other
21 cities trying to tell us what we should do, you know.
22 And just trying to put their influences on the city
23 that already has a good foundation with arts.

24 MR. OTTEN: Right on. Thank you for that.

25 CHAIRPERSON HOOD: Just ask you a question

1 because you said something that -- you said people
2 have the freedom to do what they want to do when they
3 buy their property. Isn't that what you just said?

4 MR. CHAMBERS: Right.

5 CHAIRPERSON HOOD: And how long have you been
6 here?

7 MR. CHAMBERS: Four years now.

8 CHAIRPERSON HOOD: And you came from?

9 MR. CHAMBERS: Texas.

10 CHAIRPERSON HOOD: What part? I mean, if you
11 don't mind me asking.

12 MR. CHAMBERS: Graduated San Antonio, six,
13 and after that moved to Dallas after. Antebellum is
14 like -- it is kind of like your 411, but just a
15 neighborhood of people who are in the creative field
16 that does the same thing as what we're trying to
17 fight for, and that's keeping the art space open,
18 keeping the area open, keeping where people can come
19 into the city and just create and move on from there.

20 CHAIRPERSON HOOD: But you said something
21 important. And let me just say this, the Zoning
22 Commission, regardless of what anybody tells you, I
23 would ask each of you all to look at what our
24 requirements are, what we have to look at. It's land
25 use.

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1 MR. CHAMBERS: Right.

2 CHAIRPERSON HOOD: Ms. Schellin,
3 Commissioner, former Commissioner, he hit it. He hit
4 a lot of it. He eventually -- I think one other
5 person did too. 2403, I think, you cited one of our
6 regulations. Those are the kind of things that we
7 have to reconcile, that we have to look at. The wide
8 gamut of what I've been hearing, some of it is not
9 within this jurisdiction.

10 And I'm saying this for those who are coming
11 up, make sure you narrow your focus. And Mr. Scott.
12 Mr. Scott was on target of what's in front of the
13 Zoning Commission. So for those who are coming
14 behind, that's what it's about for us. Now I know
15 that Mr. Otten is asking a lot of questions, but I
16 want you all to understand if the Zoning Commission
17 can reduce rents and do all this other stuff, guess
18 what, I would have no problems. But some of those
19 things are not in our jurisdiction.

20 But I think your point, and you said it, not
21 me, that's why I wanted to piggy back on that, and
22 Mr. Scott, your issue is exactly what we should be
23 looking at.

24 But anyway, Mr. Otten, you may continue.

25 MR. OTTEN: Sure. Can I just clarify that?

1 CHAIRPERSON HOOD: Just go ahead and cross-
2 examine. Those were my comments.

3 MR. OTTEN: No, because you've asked people
4 to come up with a certain posture. And I need to
5 clarify the posture.

6 Isn't it true that displacement of commercial
7 entities is part of land use planning?

8 CHAIRPERSON HOOD: Mr. Otten, one thing I'm
9 not going to do is answer your questions.

10 MR. OTTEN: You just -- you told --

11 CHAIRPERSON HOOD: No, look, I'm telling
12 you --

13 MR. OTTEN: -- how people should posture.

14 CHAIRPERSON HOOD: What I'm trying to do, Mr.
15 Otten, I will take a five minute break and we will
16 come back tomorrow night if you continue.

17 So what I'm saying to you is, I'm going on
18 these two gentlemen who just testified. People are
19 welcome to come up and say whatever they want to say.
20 But you know, Mr. Otten, you've been here enough, you
21 know that the Zoning Commission by authority and
22 statute have certain things that we can deal with.

23 We can't deal with everything. And you know
24 that.

25 MR. OTTEN: Are you saying that displacement

1 is not one of those things?

2 CHAIRPERSON HOOD: Mr. Otten.

3 MR. OTTEN: I was here for Barry Farms. I
4 remember that was a big deal during the Barry Farm
5 PUD.

6 CHAIRPERSON HOOD: Mr. Otten, I am not going
7 to answer your question. If you were here during
8 Barry Farms --

9 MR. OTTEN: Yeah.

10 CHAIRPERSON HOOD: -- then you know what
11 certain commissioners ask and what we did.

12 MR. OTTEN: Right.

13 CHAIRPERSON HOOD: Okay. So just leave it at
14 that.

15 MR. OTTEN: Okay.

16 CHAIRPERSON HOOD: I would ask you to go
17 ahead and continue to cross-examine.

18 MR. OTTEN: Mr. Scott, can I ask you a couple
19 questions?

20 Are you concerned about the displacement of
21 411 New York Avenue?

22 MR. SCOTT: Yes, sir.

23 MR. OTTEN: It sounds like you are. You
24 described how, at 411, you did some iconic scenes of
25 work. Do you want to tell us about that? Is that

1 something you can share?

2 MR. SCOTT: Yeah, absolutely. I shot a body
3 of work in the collaborative nature of arts here in
4 the city as a performance artist, and a fine artist.
5 I collaborated with a photographer by the name of
6 Joshua Kogan who had space at 411. And he shot a
7 body of work for me that was later produced and still
8 exists and has received some critical acclaim.

9 MR. OTTEN: Right on. I appreciate that.
10 How many spaces would you be able to do something
11 like you did at 411? Is there many spaces in D.C.
12 would you say, that you could have done that sort of
13 work?

14 MR. SCOTT: I wouldn't say many. There are a
15 few, but if you're asking me if the amount of work
16 equals that to the amount of space available, then I
17 would say no.

18 MR. OTTEN: Right on. And hence why you're
19 worried about another space like this being
20 displaced?

21 MR. SCOTT: Yes, sir.

22 MR. OTTEN: All right. I appreciate that.

23 Let me see. Ms. Jaffe, can you -- your
24 sister was a creative resident at 411.

25 MS. JAFFE: Yes.

1 MR. OTTEN: Can you describe some of the --

2 MS. MOLDENHAUER: I'm just going to object
3 because she testified by reading a statement for her
4 sister. She's not here on her behalf, so I think
5 that there's a lot of people here that are personally
6 here --

7 MR. OTTEN: I'm asking about -- I'm asking
8 Claire Jaffe, not Rose Jaffe. She's here.

9 MS. MOLDENHAUER: But that wasn't who -- she
10 didn't testify on her behalf as Claire. She read a
11 statement --

12 MR. OTTEN: She submitted testimony to the
13 record.

14 MS. MOLDENHAUER: -- as Rose.

15 MR. OTTEN: Ms. Jaffe, did you submit
16 testimony to the record?

17 MS. JAFFE: I did.

18 MR. OTTEN: Okay. On that testimony --

19 CHAIRPERSON HOOD: Did you submit your own
20 testimony or did you -- what did you read?

21 MS. JAFFE: Yes.

22 CHAIRPERSON HOOD: You read your sister's
23 testimony. Yes, but I also, I submitted testimony.
24 I was here on the 1st and I submitted paper
25 testimony.

1 CHAIRPERSON HOOD: So you're asking her
2 questions on her testimony?

3 MR. OTTEN: Right.

4 CHAIRPERSON HOOD: Ms. Moldenhauer, I'm going
5 to allow that. I'm going to allow that. It will be
6 okay. I'm going to allow that. If she submitted to
7 the record then I think that anything that's in the
8 record could be crossed. Okay?

9 MS. JAFFE: Thank you.

10 MR. OTTEN: Thank you, Chair. So, Ms. Jaffe,
11 to your testimony and your use of 411, can you
12 describe to us kind of the diversity and the
13 activities there and your experience there, and why
14 it's important to you that these types of spaces
15 exist?

16 MS. JAFFE: Yeah. I mean, I'm also a native
17 Washingtonian and my sister moved back here before I
18 did when I was away at school. And when I moved back
19 she had been working there at 411 for a few years and
20 had really already kind of been fully integrated into
21 this community. And that was one of the reasons why
22 I decided to come back to D.C. was being a part of
23 the community that was there. And so I mean, I
24 attended many events there and I have even passed her
25 leaving the studio; the open studios that she

1 described in her testimony as well as music shows in
2 many different parts of the building, and also just
3 spending time creating art I think was the most
4 effective time that I was there that, you know, I
5 think somebody else mentioned the timing. Like, that
6 you could go there any time, any day, and there would
7 be people working there and creating for not only
8 themselves but also, you know, other political
9 movements and people gathering for really to help
10 affect change in the city. And that was, you know,
11 for me is like a huge part of the space.

12 MR. OTTEN: By affect change in the city, can
13 you give one example of how you did that?

14 MS. JAFFE: Well, I think that just for in a
15 lot of the, you know, in a lot of the big like
16 parades and other like political movements in the
17 city that a lot of the -- most of the art, or not, I
18 don't know, most of -- a lot of the art, the UC and
19 those spaces comes out of 411 lofts in some space,
20 you know, in some way.

21 MR. OTTEN: Right on. I appreciate that.
22 Sir, I didn't catch your name.

23 MR. SOMMARIPA: Niko.

24 MR. OTTEN: Niko. You were saying the city
25 loses its' competitive edge with the dissolution of

1 spaces like this, right?

2 MR. SOMMARIPA: Yes.

3 MR. OTTEN: Can you elaborate on that? What
4 do you mean by competitive edge in terms of
5 municipality?

6 MR. SOMMARIPA: Well, as I said at the
7 beginning. For me to be effective in my job and I
8 think for most problem solvers, innovators, and
9 entrepreneurs, it's important that we push ourselves
10 to see the world differently, and change or challenge
11 our paradigms. Otherwise, we're never going to be
12 ahead of the curve. I think artwork in all its
13 various forms is a powerful tool for challenging how
14 we see things, hear things, experience things. And I
15 know for me in my personal work and experience, that
16 plays a major role in how effective I am and how
17 competitive I can be as a consultant.

18 MR. OTTEN: I see. Okay. You were talking
19 about the Comprehensive Plan.

20 MR. SOMMARIPA: Yes.

21 MR. OTTEN: Is that the District of Columbia
22 Comprehensive Plan?

23 MR. SOMMARIPA: That's the Comprehensive Plan
24 for the National Capitol Area. And specifically the
25 District Element as opposed to the Federal Element.

1 MR. OTTEN: Okay. And you suggested that the
2 proposed project is inconsistent with the
3 Comprehensive Plan?

4 MR. SOMMARIPA: Yes.

5 MR. OTTEN: Did you outline ways that that's
6 -- in what ways is that true?

7 MR. SOMMARIPA: Well, I have a truncated
8 version here due to the three minute time limit, but
9 for starters I think the most important elements are
10 AC-1, the ability of arts organizations and artists
11 to thrive in our city is dependent on having suitable
12 production, performance, and exhibition space. It
13 goes on to say, "Many of these facilities are
14 completely absent in large parts of the city and
15 where they do exist they may be threatened by rising
16 rents and redevelopment pressure." That's 1402.1.
17 I'm not totally familiar with the coding system, but
18 AC-1 is at the header, and 1402.1 is at the end of
19 the paragraph.

20 MR. OTTEN: Okay.

21 MR. SOMMARIPA: Furthermore, AC-1.1 states,
22 "The City faces a persistent need for the retention
23 and further development of affordable neighborhood
24 arts facilities to foster a more stable arts
25 community."

1 Moving down, Policy AC-4.3.1, titled,
2 Engaging our Arts Community states, "Increase the
3 involvement of the arts community and include
4 artistic considerations in local planning and
5 redevelopment initiatives."

6 Further down -- or actually, back up.
7 Policy. Yep.

8 MR. OTTEN: Can I stop you there?

9 MR. SOMMARIPA: Sure.

10 MR. OTTEN: On that one, increase the
11 involvement of the arts in local planning, were you
12 surprised -- well, were you aware that the Office of
13 Planning did not mention the artists that are in this
14 space currently right now in any of their reports?

15 MR. SOMMARIPA: Yes.

16 MR. OTTEN: How did that -- did that -- how
17 did that make you feel?

18 MR. SOMMARIPA: Concerned.

19 MS. MOLDENHAUER: Can I just object? I think
20 is way beyond the scope of his initial testimony.

21 MR. SOMMARIPA: I'm essentially reading,
22 verbatim, my testimony, so it sounds like it is in
23 scope.

24 CHAIRPERSON HOOD: Ms. Moldenhauer, Ms.
25 Moldenhauer, he did mention -- he was one of the -- I

1 didn't identify him, but he did talk about the
2 Comprehensive Plan. But you have some folks up here
3 who really know the Comprehensive Plan, so okay.

4 MR. SOMMARIPA: I'm sure you guys know it
5 better than I do.

6 MR. OTTEN: Okay. No, I appreciate your
7 analysis of that. I guess, let's see. Mr. Lee, did
8 you say you're a producer?

9 MR. LENYON: Yes.

10 MR. OTTEN: Have you done anything at 411?
11 Can you describe anything if you've done any?

12 MR. LENYON: Actually, recently I've
13 performed a couple times, presenting my work at
14 different venues at Mousai House.

15 MR. OTTEN: At the Mousai House?

16 MR. LENYON: Yeah. Also, in working with
17 Gaje, he's helped me put together my studio and make
18 it actually to a point where I can bring clientele in
19 and bring money into what I do because, you know, as
20 an artist I don't particularly get much money. But
21 he actually afforded me and gave me the idea and you
22 know, just the blueprint on how to expand my studio
23 and actually make it beneficial for me to make money.

24 MS. COHEN: Mr. Otten, a lot of what is being
25 repeated, can you focus on some of the points that

1 the Chair made regarding enhancing our understanding
2 of -- and bringing up some maybe different issues with
3 regard to the Comprehensive Plan and relevant issues?
4 It's just that it's getting very repetitive.

5 This gentleman did testify that he did work
6 at the location.

7 MR. OTTEN: Vice Chair Cohen, respectfully,
8 I'm hearing these testimonies for the first time
9 tonight. I don't know these people, so I'm repeating
10 back what I thought I heard, that I wrote down in my
11 notes to clarify they testified to that, and then
12 following up with a question hopefully that is
13 germane to this process. That's --

14 MS. COHEN: I appreciate that, but so far
15 it's really not focused. So, thank you.

16 MR. OTTEN: Do you want to give me some
17 questions to ask?

18 MS. COHEN: Again, a lot of people are being
19 very repetitive of each other's testimony. So --

20 MR. OTTEN: They all have unique experiences
21 in this space. Okay. I'm almost done so --

22 MS. COHEN: You know, it does overlap a lot
23 and that's what I'm trying to avoid so that we can
24 hear everybody. There are people downstairs as well.

25 CHAIRPERSON HOOD: Let me just say, we get

1 it. We got what your point is. So there are some
2 other people who would like to testify.

3 MR. OTTEN: Right.

4 CHAIRPERSON HOOD: And that's what we're
5 trying to get to. Okay? I understand that. I get
6 what everybody here, we heard the testimony the first
7 time, and we heard you when you back up and asked
8 some of them additional questions about the
9 additional testimony.

10 MR. OTTEN: Yeah.

11 CHAIRPERSON HOOD: We are attentive, so I
12 just want you to know, we got the point.

13 MR. OTTEN: All right.

14 CHAIRPERSON HOOD: You may continue.

15 MR. OTTEN: Okay. So just the last question
16 then, Mr. Lee. It sounds like, based on your
17 testimony that it's fair to say that 411 is an
18 incubator space of sorts.

19 MR. LENYON: Oh, yeah, for sure. Everybody
20 helps everybody out. You know, everybody you know,
21 this is probably one of the most unique places within
22 the district.

23 MR. OTTEN: And would it be fair to say that
24 many artists have gotten, started their careers
25 thanks to this type of incubator space?

1 MR. LENYON: Of course. I've seen people go
2 beyond 411 to a higher, you know, plain. So.

3 MR. OTTEN: Right on.

4 MR. LENYON: You know, it's just like a jump
5 off or starter point for a lot of people.

6 MR. OTTEN: Okay. Thank you very much.

7 CHAIRPERSON HOOD: Okay. Thank you all very
8 much. We appreciate your testimony.

9 Okay. I think I finished the list. So what
10 I'm going to do is -- what I'm going to try to do is
11 do this orderly because how many people want to
12 testify again tonight? Okay. So I'm going to try to
13 do this orderly. Each time I'm going to call four
14 from this side. Keep your hands up so. You can come
15 on up. You can come on up. You can come on up. And
16 you can come on up. Just one of you. I'll get you
17 next time.

18 And let me get four from this side. The
19 young lady who is standing up with the black hat, you
20 come up. You can come up. Sitting down. The one
21 who is sitting in the chair with the back against the
22 wall, come on, you've already started, you can come.

23 Did I get four from this side? Because I
24 think we've got eight chairs, right?

25 Now make sure you didn't testify. Now, we're

1 on the honor system and everybody is under the oath.
2 Make sure you didn't testify the first time so we can
3 allow other people the opportunity. So everyone is
4 under oath, right? Everybody took the oath? Okay.

5 All right. So what I'm going to do again,
6 four and four. Okay. We're going to start with this
7 young lady to my right. Turn your mic on.

8 MS. REIS: Thank you for the opportunity to
9 speak with you tonight. My name is Victoria Reis,
10 and I am the co-founder, executive and artistic
11 director of Transformer, a nonprofit visual arts
12 organization based in the District of Columbia at
13 1404 P Street Northwest.

14 Founded in 2002, Transformer exists to
15 provide a consistent supportive and professional
16 platform for emerging visual artists to present
17 experimental artistic concepts, build audiences for
18 their work and advance their careers, while
19 increasing dialog, understanding an audience is for
20 contemporary visual arts.

21 Since our inception I, in tandem with
22 Transformer's Board of Directors, which is comprised
23 of 19 business leaders in the community, have
24 achieved this mission through extensive and
25 comprehensive collaboration with a broad range of

1 partners, primarily artists.

2 Through these partnerships we develop and
3 present programs focused on educating both artists
4 and audiences on new and best practices in the
5 contemporary visual arts.

6 I am here tonight to -- regarding case 15-19,
7 to voice my dismay for the displacement of artists at
8 the Union Arts building at 411 New York Avenue
9 Northeast. As one of Washington, D.C.'s leading
10 nonprofit organizations that presents the work of
11 emerging visual artists, while also building
12 understanding and access for both artists and
13 audiences to what is happening now, and next within
14 the global emerging contemporary art field,
15 transformer staff and board feel strongly that the
16 proposed hotel development project by 411 New York
17 Holdings, LLC. that's being considered is a step
18 backwards for Washington, D.C.'s creative community.

19 Artists working within the Union Arts
20 building have been presented in Transformer
21 exhibitions and programs, and the innovative
22 creativity of the work that that they do helps to
23 inform our program. Individual artist practitioners,
24 independent musicians, and small independent and
25 nonprofit creative organizations, entities, in the

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1 building have proven to have tremendous impact on
2 cultural dialog within D.C. They're at the core and
3 the aesthetic heart of achieving and advancing D.C.'s
4 reputation for artistic excellence.

5 As the nation's capital, how D.C. embraces or
6 disregards artists sets the stage for the whole
7 country and informs other countries how America
8 values artists and cultural production. I understand
9 the Union Arts building is under review by the
10 Commission to be reclassified from a C-M-1, light
11 commercial manufacturer building that supports
12 artists and cultural production, to a C-3-C, mixed
13 use retail art hotel. This reclassification
14 represents what I understand is an 89 percent loss of
15 space for art in the building.

16 This loss comes even though six additional
17 floors are proposed to be added to the building.
18 D.C. needs to preserve better. We need to create
19 more creative spaces for artists in our city. Thank
20 you.

21 MR. ELDER: Hi. My name is Ian Elder. I a
22 research associate with Unite Here, Local 25. Our
23 union is an organization of over 6,000 hotel workers
24 in the D.C. Metro area working to create middle-class
25 jobs in the hotel industry in the District of

1 Columbia. Our union is strongly opposed to the
2 proposed planned unit development.

3 The proposed project fundamentally violates
4 the goals and policies of the Comprehensive Plan.
5 Speaking more directly to our interests, we believe
6 the District must seek to preserve what is best about
7 our city and must not destroy the cultural amenities
8 which make D.C. an attractive place for visitors.

9 Finally, many of our members have personally
10 faced forced displacement from their homes, and so we
11 stand in support of these artists and musicians who
12 depend on this building for their creative work.

13 I want to first address why we are concerned
14 about this project. The hospitality industry is one
15 of the fastest growing sectors in the District
16 economy. Unfortunately, new hotels don't attract
17 tourists. Cultural amenities do. Hotels in the
18 district are all competing for a limited number of
19 tourists, and the number of tourists is determined
20 first and foremost by the amount of tourist demand.

21 The arts activity at the site is not just
22 another cultural amenity. It is a major unique and
23 distinctive contribution to the arts and cultural
24 scene, which attracts a different type of visitor
25 than say, the monuments or museums and the National

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1 Mall. Or the cobblestone streets of Georgetown.

2 Art spaces like the one at 411 New York
3 Avenue Northeast are what make D.C. attractive to
4 many young people, artists, musicians, writers,
5 creative professionals, and anyone else who enjoys
6 contemporary art and culture. Such spaces are
7 increasingly rare in the district.

8 By building a hotel upon the wreckage of a
9 vital and exciting art space which has advanced arts
10 and culture in the District for over four decades,
11 the developers would weaken the demand for the very
12 product they want to build more of. That's not
13 economic development. That's killing the goose that
14 laid the golden eggs.

15 Our members depend on robust tourist demand
16 in the District so the developers plan to eliminate
17 this crucial arts destination as a threat to our
18 member's livelihoods. Because of this harden to the
19 hospitality industry we do not see that this PUD
20 would promote the public good.

21 I'm going to skip a little bit and talk about
22 the Comprehensive Plan. We believe that this would
23 fundamentally violate the Comprehensive Plan in
24 several ways. First, it violates the plan's land use
25 element, just to name a few. Policy LU3.1.7 is to

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1 support low impact cottage industries and homegrown
2 businesses and neighborhood commercial districts and
3 on appropriate industrial lands, among other things.

4 411 New York Avenue Northeast is the site of
5 a major arts business incubator which includes 38
6 entrepreneurs. Replacing the building with a hotel
7 would impose enormous hardship on all of those
8 businesses, not to mention the dozens of other
9 artists and musicians who are also making a living in
10 the building. Policy LU3.1.1 is to conserve
11 industrial land, recognizing the importance of
12 industrial land to the economy of the District of
13 Columbia.

14 The uses at the site are not particularly
15 industrial but they are production businesses, and
16 many of them do have an industrial character. And
17 are best suited to industrial land.

18 Can I request a couple more minutes since I'm
19 representing an organization, and I'm --

20 CHAIRPERSON HOOD: Actually, did he get five
21 minutes?

22 MS. SCHELLIN: He didn't.

23 CHAIRPERSON HOOD: He didn't? Let me ask you
24 this while we're putting two more minutes. Are you
25 representing John Borgman's comments?

1 MR. ELDER: Well, I wrote these myself.

2 CHAIRPERSON HOOD: Did you all take a vote on
3 this?

4 MR. ELDER: We didn't take a vote. He asked
5 me to present here.

6 CHAIRPERSON HOOD: So the Union didn't take a
7 vote but you're speaking for Mr. Borgman?

8 MR. ELDER: As a staff member. That's right.

9 CHAIRPERSON HOOD: Okay.

10 MS. MOLDENHAUER: I would just object that
11 there's nothing actually on the record that says that
12 he represents anybody other than himself as a
13 research assistant.

14 MR. MAY: He submitted a letter on
15 letterhead.

16 CHAIRPERSON HOOD: I have the testimony. And
17 I just wanted to know, I'm familiar with Local 25.
18 And I just wanted to know, was he speaking for Mr.
19 Borgman. Was he authorized. And also, did he -- did
20 they take a vote. He's answered my questions. Thank
21 you.

22 You have two additional minutes.

23 MR. ELDER: All right. Thank you very much.
24 Policy LU3.1.4 allows the rezoning of industrial land
25 for nonindustrial purposes only when the land can no

1 longer viably support industrial or PDR activities.
2 In the event such rezoning results in the
3 displacement of active uses, assists these uses in
4 relocating to designated PDR areas. We believe the
5 land can support the existing activities, but more
6 importantly the applicant has made no realistic
7 attempt to assist the artists in relocating. Or at
8 least most of the artists. Any PUD proposal which
9 does not provide a new space for the artists is in
10 direct contradiction to this policy.

11 Second, the project significant contradicts
12 many of the plan's economic development policies and
13 actions, including policy ED2.3.1, which is to
14 develop an increasingly robust tourism and convention
15 industry, which is underpinned by a broad base of
16 arts, entertainment, restaurant, lodging, cultural,
17 and government amenities. Of course the project does
18 propose a lodging amenity. But the lodging amenity
19 being proposed is of vastly less significance than
20 the current building's arts and cultural amenities.

21 And as argued above, destroying arts and
22 culture in the District dilutes the demand for
23 lodging amenities and weakens the sector as a whole.

24 I'm going to skip a few of these. Policy
25 ED2.3.2 is to provide new and enhanced visitor

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1 attractions and entertainment venues, particularly
2 ones that complement the traditional museums and
3 monuments, attracting more international visitors and
4 young adults.

5 Policy ED3.2.6, which is to avoid the
6 displacement of small and local businesses due to
7 rising real estate costs.

8 Policy ED3.2.7, which assists small
9 businesses that are displaced as a result of rising
10 land costs. And other people have already testified
11 about it contradicting the plans artists, and
12 cultural element.

13 Because of the many clear inconstancies
14 between the proposed project and the District's
15 Comprehensive Plan, we do not believe this PUD should
16 be granted. Thank you very much for taking those
17 issues into account. The first is --

18 CHAIRPERSON HOOD: Thank you very much.
19 Next.

20 MR. SELASSIE: Good evening, D.C. Zoning
21 Commission, 411 New York Holding, LLC., the
22 development team, and family.

23 I am Safa Selassie, a D.C. native artists and
24 contractor for Get Around, Incorporated based out of
25 San Francisco, California.

1 I would like to state for the record
2 regarding ZC Case No. 15-19, my autonomy for the
3 displacement of artists at the Union Arts building at
4 411 New York Avenue Northeast. The proposed hotel
5 development project by 411 New York Holding, LLC.
6 that you're considering today is a substantial
7 transition toward the cultural artistic, and creative
8 vibration that runs through the streets of D.C.

9 We all know how much profit is important, but
10 what kind of profit is eternal and substantial to the
11 soul in a thriving universe. It is apart from
12 capital, apart from interest, or the profit from
13 control. These artists are not representing the
14 profit we receive from the ROB expression of this
15 building. Including a shows of profit from benefit
16 or community, artist organizations such as Union
17 Arts. As well as several nonprofit organizations
18 bolstering the culture of D.C.

19 To the Zoning Commission and 411 New York
20 Avenue, LLC., I propose you take another perspective
21 and view from artists' vantage point. Take this as a
22 learning opportunity. We shouldn't have to protest
23 for art to be expressed. We should set a trend for
24 the future generations of this world, showing them
25 creativity and that love art has a place in every

1 corner of the Earth. Build around us, build across
2 from us, but most importantly build us up, not take
3 us down. For we are the Friedas, the Langston
4 Hughes, the Mia Angulo's, the Mile Davises, and Van
5 Goghs of the generation. Let's give credit where
6 it's due.

7 Thank you for the opportunity for expressing
8 my ideas and thoughts. Thank you.

9 CHAIRPERSON HOOD: Thank you. Next.

10 MR. ABRAMS: Hi. My name is Mike Abrams. I
11 am a (garbled speech) alumni, 1993. 1996 I set up my
12 first studio, and that was Carriage House studio on
13 Capitol Hill. That is seven studios and a carriage
14 house. I rented that from a private individual and I
15 ran that for 14 years.

16 Two years after starting that I started the
17 project at 443 I Street, otherwise known as Gold
18 Leaf. I built all those studios. When I left that
19 was 16,000 square feet.

20 Along the way we -- I had a good time and
21 eventually the building got sold. About a year later
22 I came over to 411 New York Avenue. I built out two
23 floors there which became Union Arts.

24 Is that creativity, that group of people that
25 came at that time, as well as the people who were

1 already there that meshed. They were able to create
2 this larger idea. This idea was born at I Street, at
3 Gold Leaf. And we carried it over. We carried over
4 that openness, that inclusiveness, and that ability
5 to reach out into the public and offer things that
6 nobody was able to access because they didn't have
7 space for it.

8 But as a private individual doing this, I
9 have took on a lot that was leasing, that was the
10 finances, that was making sure everything could run,
11 and it was hard.

12 What people here are saying is true. It's
13 absolutely necessary to have a space like this. How
14 do you have a space like this, is the question. You
15 got to buy it. And that is understood.

16 The fact that DB Lee, Brook Rose, has bought
17 this building and initially looked at it as a hotel,
18 then they were, quote, inspired to put in some
19 artists spaces. That to me says a lot. That's
20 always been my goal, to finally mesh with a developer
21 and get built in. This is the first time this has
22 happened.

23 I've watched the city grow up with Douglas
24 Development Corporation. And Douglass Development
25 has done a lot of things and he has his kind of

1 contribution to art, but he's never helped create an
2 art center. And with the amount of projects and
3 buildings that he has done, I'm surprised by that.

4 We have a small firm now who has come in and
5 they're trying to do that. And in this situation,
6 since the last meeting you guys had, I reached out to
7 developers. I reached out to private individuals who
8 have property. There's property out there. But the
9 thing is, you've got to be able to afford it. You've
10 got to be able to be credit worthy. And that's what
11 I want to say.

12 You guys have a voice here. It's happened.
13 You did it. Congratulations. I'm on your side. But
14 I also see the side of this developer.

15 [Timer sounds.]

16 Can I ask for one minute, please?

17 CHAIRPERSON HOOD: Are you representing an
18 organization?

19 MR. ABRAMS: I'm representing studios being
20 built in D.C.

21 CHAIRPERSON HOOD: Okay. We're going to move
22 on. Next.

23 MR. ABRAMS: Thank you.

24 MS. HALL: Thank you. My name is Natasha
25 Hall. I was born and raised in D.C. I'm a homeowner

1 in Ward 1, and I work for an NGO called Center for
2 Civilians in Conflict, and I founded an NGO called
3 Art and Exile where I represent artists who were
4 displaced by war.

5 I'm saddened to see that after years of
6 traveling that artists are being displaced --
7 displaced here in D.C., my hometown, by something as
8 simple as a boutique hotel, and not by war.

9 I would have to agree with Ian that you are
10 losing future talented creative individuals that
11 could possibly move to D.C. or even stay in D.C. by
12 losing places like 411 New York Avenue, Union Arts.
13 You're also displacing people, I think
14 psychologically and mentally from their hometown.
15 This was the creative capitol of the punk rock scene,
16 of the jazz scene. We're losing our history here,
17 and this is one of the last places in D.C. where this
18 is actually still happening.

19 And with all due respect to the lady behind
20 me, I think there is a misunderstanding of how the
21 artistic process works with these new plans. There
22 is a family that I see that has been created at 411
23 and it goes across disciplines between artists, fine
24 artists, as well as musicians. And I would actually
25 venture to say that more than hundreds of musicians

1 and artists are represented there because I, myself,
2 have an exhibition going on at 411 New York Ave.,
3 which exhibits Syrian refugee artists meshing with
4 D.C. artists here. This is a community that is
5 difficult to break up, but you will break it up if DB
6 Lee is allowed to continue with their plan. Thank
7 you.

8 MS. JOHNSON: Hello. My name is Nia Johnson.
9 I am an economic student at Howard University. I am
10 an amateur musician. I moved to D.C. four years ago
11 from Western Massachusetts.

12 We live in a time of large scale urban
13 development, but I think in the middle of it we
14 forgot what draws people to this place, and that is
15 culture. D.C.'s arts community has attracted and
16 produced many notable artists and have brought large
17 contributions to underground arts as a whole. Art
18 and creativity is not only valuable but it's vital to
19 this country as a whole.

20 As a studying economist the American economy
21 owes much of itself to the minds of creatives and
22 innovators from various races and walks of life.
23 This court hearing is representative of something
24 much larger. If the government of the Nation's
25 Capital doesn't support creativity then what does

1 this mean for the future of this country that has
2 built it selves on the minds of innovators and
3 various inventions and cultural innovations that the
4 world enjoys as a whole? Destroying artistic and
5 creative entrepreneurial communities like Union Arts
6 can't simply be replicated by an art themed hotel.

7 I'm going to end my statement with something
8 that -- something that I heard in a conversation with
9 a friend. A civilization without the arts is merely
10 just a wasteland of industry. Thank you.

11 MS. SENADA: Hi, everyone. I'm Jessica
12 Senada and I'm here with the Asian Pacific American
13 Labor Alliance, D.C. Chapter. And we're an
14 organization that connects Asian Pacific Americans
15 with the larger labor movement. But we also strive
16 to protect workers and families and serve the D.C.
17 community. And APAL D.C. recognizes the larger issue
18 of gentrification and the disparities that come with
19 it.

20 D.C. is a unique artistic environment that's
21 rich with culture that cannot be replaced. It is one
22 of few cities that has birthed their own genre of
23 music, not to mention the influence of punk rock and
24 jazz. We are the creative capitol. 411 New York
25 Ave. is home to a variety of creators and artist

1 entrepreneurs. Lessening the artistic space will
2 have an impact on the city's income and tourist
3 attraction. Fancy hotels do not generate tourism.
4 Art, music, food, culture, they all do.

5 From the plethora of weekly open mics to the
6 shared mural spaces, to WMATA's Metro Arts Program,
7 this will all be impacted by displacing the artists
8 just so developers can profit on big corporate money.

9 To that point, venues, well renowned venues
10 like 930 Club, Howard Theater, Kennedy Center, bring
11 our tourist mainstays here in D.C. for the night and
12 entertainment life, and they are constantly and often
13 booking local entertainment. Taking away the space
14 takes away the opportunity and the preservation of
15 D.C.'s long history of music and art.

16 In addition, this is a worker and economic
17 issue. In the gig or the on-demand economy, artists
18 and creators are faced with unique challenges as
19 workers, and these spaces help artists to not only
20 feel the creativity that provides them with a
21 livelihood, but in many cases also allows them to
22 make the best -- but also allows them to make due in
23 the best way that they can so that they can provide
24 for themselves and their families.

25 The artists at 411 are not only an integral

1 part of D.C.'s art and music cultural, but they
2 impact the greater good of our communities. Art and
3 activism are inseparable. Artists make complex
4 issues easy to digest and understand. The loss of
5 this space would mean a huge blow to work and human
6 rights causes and mobilizing others for civic change.

7 Folks at 411, specifically 2B Studios, have
8 been involved in numerous campaigns to strengthen our
9 communities, like our Walmart, or even supporting
10 federal contract workers and a living wage, Barry
11 farms and saving affordable spaces like Bebing
12 (phonetic) Square. The list goes on.

13 APALA recognizes this particular space's
14 commitment to racial and social justice activism, and
15 we stand with the folks at Union Arts. Thank you.

16 MS. MCKEY: Hi. My name is Haley McKey. I
17 am from Arlington, Virginia. I have lived in the
18 D.C. area my entire life, and I work in Washington.

19 In the spring of 2015 I began attending music
20 events at Union Arts and I was given the great honor
21 of painting a mural in the performance space of
22 Mousai House. I had never painted a mural before,
23 but I showed up, I presented my drawings, and Luke
24 Stewart, Gaje Jones, and Chris Smith gave me the
25 chance to begin the most ambitious and challenging

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1 project I had ever attempted.

2 I can honestly say that painting that mural
3 was a defining part of my life. And when I was
4 finished I felt both proud of my work and thankful to
5 have been granted this opportunity. I grew in my
6 skill as an artist and in my confidence.

7 I was there for hours late into the night,
8 and while I was working I saw great music
9 performances by local artists. I met dozens of
10 people and I made friends. I don't know if I would
11 have been afforded the same opportunity under the
12 applicant's proposal. And I suppose it is easy for
13 them to argue that I would have. But the truth is,
14 my experience and those of many artists who aren't
15 yet established wouldn't have happened without Union
16 Arts.

17 When the building is gone my mural will be
18 gone too. But I don't regret my work and the time
19 that I spent. I think our city would deeply regret
20 the loss of a creative community like Union Arts.
21 Thank you.

22 CHAIRPERSON HOOD: Okay. Thank you. Vice
23 Chair Cohen, any questions? Vice Chair Cohen.

24 MS. COHEN: Thank you, Mr. Chairman. Some of
25 you did read from prepared remarks. I didn't see all

1 of them, I don't think, as submitted. So please
2 submit them for the record. I would really be
3 interested in hearing -- you know, reading them
4 again.

5 I forgot your name, the gentleman in the
6 brown sweater with the -- sorry.

7 MR. ABRAMS: Mike Abrams.

8 MS. COHEN: Yes. The point that you made
9 about, you know, purchasing a building, it takes
10 money, it takes credit, does the city to your
11 knowledge have any programs to assist in purchasing
12 buildings for arts groups?

13 MR. ABRAMS: I'm not aware of any programs
14 like that. I know that the city holds, you know,
15 buildings. They have building stock. Whether
16 they're suitable or not for arts uses has always been
17 a question. I know that a lot of the schools have
18 come forward to be used, or to be proposed as that
19 use. But a lot of times there's just too much
20 construction that needs to happen for them to be
21 realized.

22 I think at this point what I'm looking for is
23 to work with a developer who has stock, whether they
24 be a local developer or even a larger person who is
25 working the city, who can afford to have a space used

1 by artists for a certain number of years, while at
2 the same time coordinating to focus on this issue and
3 work with the city to say, okay, we've got an arts
4 commissioner who is very interested in doing
5 live/work spaces. They're very interested in doing
6 straight studio spaces. How do we get that built
7 into a building so it feels right, so it looks right?
8 Everybody here just wants to be part of it. They
9 want to be able to say, I need my studio to be this
10 big. This kind of situation.

11 MS. COHEN: Yeah, I understand that. What
12 about, do you know of any instances where, again,
13 some creative people are doing Fund Rise, I think
14 it's called?

15 MR. ABRAMS: Oh, Fund Rise is a property
16 group. Yeah, they work with commercial buildings.
17 That's right.

18 MS. COHEN: So, but you're not aware of
19 anything related to --

20 MR. ABRAMS: Fund Rise did a building over at
21 705 Edgewood. They've just helped with that purchase
22 and I think I've been talking to them. It's the
23 McKady (phonetic) group, and they've got 25,000
24 square feet over there. I could put 40 studios in
25 there. And it's going to be about \$30,000 a month,

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1 maybe more. The build out itself is probably going
2 to be 400,000, something you know, in that range. So
3 how do we get that money? Maybe we could do some
4 kind of group thing. You know, the key here is, I
5 think, taking this kind of group. Everybody here is
6 very interested. We've got the media. We've got
7 everybody's attention. Now let's work with that.
8 That's my point. Is that New York Avenue building,
9 that's not Union Arts. Union Arts travels. Union
10 Arts is not a building, it's a concept. And that
11 concept is what you guys carry around in you. That's
12 your everyday thing. You want to interact with
13 everybody.

14 Well, take your energy, take that commitment,
15 say yeah, I'm willing to pay for five years on a
16 five-year lease, this much for a studio, because we
17 can make that kind of larger commitment, which I have
18 done. You know, you go five years at a time. Five
19 years turns into 10, turns into more.

20 MS. COHEN: We received a tenant list.

21 MR. ABRAMS: Uh-huh.

22 MS. COHEN: And I have no idea how much these
23 tenants pay. But based on their rent roll, and if
24 they're current, again, there's community development
25 financial institutions, not banks who are not willing

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1 to do risky deals.

2 MR. ABRAMS: Well, we have a very unique
3 situation right now where we have developers who
4 really want to help us. They actually want to help
5 us. They are ready with tenant improvement money.
6 We're talking 70, \$80,000 in a building. Okay.
7 They're willing to give that. Can we match it? You
8 know, that's the question, guys, can we match that?
9 Because it's not just one person you know, signing
10 that lease. We've got to have a group, a board, you
11 know, the whole thing set up so that you can work
12 long term.

13 I did it for 16 years, but that's a lot of
14 work for one guy to do.

15 MS. COHEN: Right.

16 MR. ABRAMS: And it was the base, you know,
17 basics.

18 MS. COHEN: You've answered my questions. I
19 appreciate it. Thank you.

20 CHAIRPERSON HOOD: Okay. Commissioner
21 Miller.

22 MR. MILLER: Thank you, Mr. Chairman. And
23 thank each of you and everyone here for your
24 commitment and your creative energy and creative
25 synergy and contribution to arts in the District of

1 Columbia.

2 Mr. Elder, I appreciate your focus on your
3 representing the hotel worker's union. And I
4 appreciate -- I read your letter before I came in
5 here tonight. I appreciate all the focus on the
6 Comprehensive Plan policies in support of arts, which
7 -- and economic development and creative economy,
8 which you focused on. And I think it's all
9 appropriate.

10 But I just wanted to focus, just for a
11 second, if you can focus for a second on the first
12 sentence of your -- the letter that you submitted
13 which said an organization of over -- oh, it's your
14 second sentence. "Our union is an organization of
15 over 6,000 hotel workers in the D.C. Metropolitan
16 area working to create middle-class jobs in the hotel
17 industry in the District of Columbia."

18 And I appreciate what you're saying about
19 killing the goose. Whatever that expression is.
20 That creates the golden egg. Yeah.

21 MR. ELDER: Yeah.

22 MR. MILLER: But this is a hotel development
23 and it has an arts component. Do you know how many
24 hotel jobs would be created and do you know how many
25 hotel jobs would be created and are you supportive in

1 any way of those hotel jobs being created, or would
2 you only be supportive of it if it was -- a
3 commitment by the developer, or somebody, somebody
4 outside of our jurisdiction, certainly, who would
5 commit to a unionized hotel.

6 MR. ELDER: That's a good question. I can't
7 really speak to the nature of the jobs there. That
8 would be a really good question for the developer and
9 I didn't talk about it because it's not a zoning
10 question. I would --

11 MR. MILLER: Do you know the number?

12 MR. ELDER: Sorry?

13 MR. MILLER: Do you know the number?

14 MR. ELDER: No, that would be another really
15 good question. I mean, I could certainly guess. I
16 look at hotels a lot but it would be a pure guess.
17 If I were to guess, it's 178 rooms. Maybe, maybe 50.
18 Pure guess.

19 MR. MILLER: Did you answer the question
20 about whether -- and this is outside of zoning and
21 outside of our ability to have any influence on --
22 but on --

23 MR. ELDER: What our sense would be if there
24 was a union agreement or something.

25 MR. MILLER: If there was a commitment that

1 there was a unionized hotel.

2 MR. ELDER: That's also not something I can
3 speak to. John sent me here on this issue, but I
4 would say that no matter what the situation, we're
5 very concerned about losing this amenity. And we
6 don't think it's right.

7 MR. MILLER: Okay. I appreciate that. I
8 hate to give somebody else who has already had a
9 chance to speak again, but Mr. Abrams, I was
10 interested in your point that you were making too.
11 Did you have an opportunity to see the applicant's
12 latest --

13 MR. ABRAMS: Yes.

14 MR. MILLER: -- revised report that has
15 the --

16 MR. ABRAMS: Yes, I've seen the revised.

17 MR. MILLER: -- has the third floor option
18 taking away 46 -- I don't know how many rooms it was.
19 But the third floor and allowing --

20 MR. ABRAMS: Right. And the second floor
21 mezzanine was --

22 MR. MILLER: -- 411 Union to, based on
23 certain commitments that each would make. Is there
24 any interest by you or others in that?

25 MR. ABRAMS: I saw a tremendous willingness

1 by DB Lee and Brook Rose to try and do something
2 here. They went from not having any studios to
3 putting in studios, putting in gallery space, putting
4 in drawing areas, meeting rooms, classroom area.

5 The latest drawings that I saw, the second
6 floor mezzanine was put back in, there were
7 additional studios that were made. I made
8 suggestions about that as to how that could be
9 rearranged to make additional studios. But I also
10 made a suggestion that that might just want to be
11 classroom space, straight out, because there is a lot
12 of good that would come from that kind of thing in a
13 building like that. It's a very accessible thing.

14 So what I see them doing is trying to put in
15 a development that includes the arts and is mindful
16 of the arts. I'm not seeing any other developer say,
17 yes, I'm going to do this with the commitment that
18 I've seen DB Lee and Rose Brook do. Or Brook Rose,
19 yeah.

20 MR. MILLER: Okay. Thank you. Thank
21 everyone for your testimony.

22 CHAIRPERSON HOOD: Any other questions up
23 here? I will say that if this moves forward you need
24 to work with -- and I'm saying if because I never
25 know what may happen around here but I thought about

1 your -- a case we had a while back with the Waffle
2 House. I don't know what's going on with that, but
3 anyway, trying to preserve the work that you've done.
4 I don't know, you know, that's kind of where I am.
5 You were talking about your mural won't be there
6 anymore. So, you know, let's figure out a way that
7 we may be able to preserve that, because it can be
8 done.

9 MS. MCKEY: Thank you. I would appreciate
10 that.

11 CHAIRPERSON HOOD: Okay. Now, I don't know
12 how to do it, but I know they can, some kind of way
13 it could be preserved.

14 I think I really -- you really caught my
15 attention, and I want to commend you for being --
16 actually, you put something that's going to be in my
17 head in future cases. And your testimony was about
18 different developers. I'm not going to call them,
19 but we see them all the time.

20 MR. ABRAMS: Right.

21 CHAIRPERSON HOOD: And they offer amenities
22 and my colleagues know, I will push it.

23 MR. ABRAMS: Uh-huh.

24 CHAIRPERSON HOOD: Quite a bit. I think your
25 point, and you being proactive is exactly what we

1 need to be doing. We're trying to save the arts.

2 MR. ABRAMS: That's right.

3 CHAIRPERSON HOOD: Because I like music. I
4 like some paintings. I can't paint a lick. But I do
5 like it, and I think, you know, it's stimulating and
6 you all know all the words that go along with it. It
7 relaxes you from a hard day. When you look at it you
8 have a peace. So I understand it. So I understand
9 what you're saying but your proactiveness, I think,
10 from your testimony, I want to commend you and I want
11 you to continue to do that because you have a new
12 friend up here who will do his best to deal with that
13 issue. But we need to make an agreement. You need
14 to continue to do what you're doing so I can push
15 from this end. And hopefully I can get some help on
16 that. But I really want to thank you for doing that.

17 MR. ABRAMS: I appreciate that. Thank you.

18 CHAIRPERSON HOOD: Because you did something
19 between the last hearing and this one, and that means
20 a lot. That's moving things forward. Okay.

21 MR. ABRAMS: That's true. I wanted to see
22 this grow and become a permanent situation for all
23 the artists. I understand the real estate
24 development program. I see how it works. I've been
25 involved with it in my buildings. So I know that

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1 there's a point you let go. But at the same time,
2 figure out where you're going. And that's what I am
3 about. That's what I want to do.

4 The programming, what happens, if you get a
5 large enough building going on is you have micro
6 economy. And that micro economy is teachers, those
7 are also light industry products that are coming out
8 there that are artistically created, whether it be
9 furniture or clothing or jewelry or any item, really.
10 I do metal work. I'm currently making a sculpture
11 for Arthur Cotton Moore. He's an architect here in
12 town. I think you know who he is.

13 So I'm still at it, you know? I think
14 everybody wants to still be at it, but we've got to
15 have a place to work.

16 CHAIRPERSON HOOD: Got you. Got you. Okay.
17 Thank you all for your testimony. Let's see if we
18 have any cross. Ms. Moldenhauer, you have any cross?
19 Come forward. Is there anybody that you're not going
20 to ask a question?

21 Okay. If you can just kind of stay close
22 just in case somebody else may have a question for
23 you. But you can sit, yeah, in her seat. Thank you.

24 MS. MOLDENHAUER: APALA. Okay. I just have
25 a couple questions for you if you want to make sure

1 your microphone is on so you can answer the
2 questions. Thank you.

3 You said APALA is for arts, food, and music,
4 a combination of those.

5 MS. SENADA: Correct.

6 MS. MOLDENHAUER: And so are you then
7 supportive of this project which has a subsidized
8 classroom program? Are you aware this program has a
9 subsidized classroom program?

10 MS. SENADA: I did not know.

11 MS. MOLDENHAUER: Are you aware that this
12 program has two restaurants that would allow for an
13 interplay between restaurant patrons and the city
14 having also a space on the roof for individuals who
15 work with raising different types of herbs. Were you
16 aware of that?

17 MS. SENADA: No.

18 MS. MOLDENHAUER: You mentioned the 930 Club
19 and Kennedy Center. Those are great institutions in
20 the District of Columbia that provide music venues.
21 Is that correct?

22 MS. SENADA: Correct.

23 MS. MOLDENHAUER: Can a lot of possible
24 artists all get into venues like that?

25 MS. SENADA: Yes. All artists can get into

1 venues like 930 Club.

2 MS. MOLDENHAUER: Okay. And can artists
3 simply get into -- is there a large group of people
4 that can get into those venues, or is it sometimes a
5 smaller group that can get into like the 930 Club and
6 Kennedy Center?

7 MS. SENADA: I don't know the answer to that.

8 MS. MOLDENHAUER: Would a performance
9 location, such as a 10th floor gallery space or
10 operation room be a benefit to the artist community
11 be able to perform and have 11,000 square feet of
12 location to perform in conjunction with a Cultural
13 D.C. organized program?

14 MS. SENADA: Well, I think what's happening
15 here is that the space is being removed and artists
16 are going to have limited -- are going to have more
17 limitations to have that creative space and do the
18 things that they want to do.

19 MS. MOLDENHAUER: Are you aware of the
20 numbers in regards to how much current space is being
21 used at the building?

22 MS. SENADA: I don't know the exact figures.

23 MS. MOLDENHAUER: Thank you very much. I
24 didn't get your name, and I wrote down that the you
25 did the mural. So.

1 MS. MCKEY: My name is Haley.

2 MS. MOLDENHAUER: Haley. Thank you, Haley.
3 Haley, have you reviewed the record on this case at
4 all?

5 MS. MCKEY: I reviewed the original proposal,
6 and I know that some changes have been made to it
7 recently.

8 MS. MOLDENHAUER: Are you aware that in the
9 more recent filing that there was actually a list
10 from one of the commissioner's questions about what
11 are possible commissioned opportunities for someone
12 like yourself, and they listed all of those. Did you
13 get a chance to review that?

14 MS. MCKEY: I'm aware that there are
15 opportunities for -- more opportunities for
16 commissions for artists, but not what the
17 stipulations would be and what the application
18 process would be like.

19 MS. MOLDENHAUER: And so you haven't had a
20 chance to review Cultural D.C.'s open forum for
21 identifying people that would do the alley staircase
22 and doing murals or mosaics along the alley
23 entranceway or doing sculpture artwork, metal work on
24 the bike rack, or things like that?

25 MS. MCKEY: I'm aware of the projects, but I

1 don't know what the -- again, I haven't reviewed the
2 specific application process for that.

3 MS. MOLDENHAUER: Okay. Thank you very much.
4 And I'm sure the applicant will work with anybody in
5 regards to murals and trying to retain those things.
6 I'm sure my client will testify to that during
7 rebuttal.

8 Then let's see, I had a question for Natasha.

9 MS. HALL: Uh-huh.

10 MS. MOLDENHAUER: So you were talking about
11 the fact that there were new plans. Are you aware of
12 the new plans that were filed on the project?

13 MS. HALL: Yes. Could I actually make a
14 point to something that she said?

15 CHAIRPERSON HOOD: She asked you a question.
16 This is cross-examination. If she asks you a
17 question --

18 MS. HALL: Okay.

19 CHAIRPERSON HOOD: You may want to ask her to
20 ask you the question. I don't know. I'm just trying
21 to be courteous but she asked you the question you
22 can answer.

23 MS. MCKEY: Yeah, I was trying to be
24 courteous too. I'm sorry.

25 MS. MOLDENHAUER: So you referenced the new

1 plans in your submission, and you're aware of those
2 new plans?

3 MS. MCKEY: Yes. I'm not aware of all of the
4 details, but yes, I've heard of the edits, yes.

5 MS. MOLDENHAUER: And so you're aware of the
6 increased, then, square footage and studio space on
7 the second floor?

8 MS. MCKEY: Yes. So this actually goes to
9 the point I was going to try to make, though. So
10 thank you. So you were asking about whether or not
11 musicians can play at the 930 Club and D.C. Nine and
12 many of the other institutions of D.C. Of course
13 they can. I don't think that's the question. I
14 think the question is, where do they practice to make
15 that music that they're going to show at those
16 venues. It's sort of a different -- it's a
17 completely different question.

18 So, along with that I think in terms of
19 especially musicians practice space, I would also
20 like to ask you what the proposal is for what you
21 were going to do about the noise that is created in
22 practices spaces.

23 MS. MOLDENHAUER: And so are you then -- I
24 guess you're not aware of the B1 level change to the
25 design. You said you're aware of the revised plans,

1 but it doesn't sound as though you're aware of the
2 plans or the change to the B1 level.

3 MS. MCKEY: No, I am. The basement level,
4 yes. I'm aware of that.

5 MS. MOLDENHAUER: So there would be -- that
6 is on the basement level, so that would be
7 soundproofed in the basement. And then you have the
8 first floor, which obviously is the lobby. Then you
9 would have the second floor, which is the artist
10 studios. And then there is the proffer of the third
11 floor, and you wouldn't have hotel rooms then,
12 possibly, until four stories above.

13 MS. MCKEY: Uh-huh. Yes, I'm aware of those
14 plans. Yeah.

15 MS. MOLDENHAUER: So would that address your
16 concern about ability to have practice studio that
17 wouldn't be interrupting in the hotel operation?

18 MS. MCKEY: You would have to ask musicians
19 that are currently practicing in that building.

20 MS. MOLDENHAUER: I mean, you were the one
21 that asked the question so I'm asking you if you
22 think that four stories away would be something --

23 MS. MCKEY: Again, you would have to ask the
24 musicians. I'm simply bringing up a point of
25 displacing people.

1 MS. MOLDENHAUER: No, we weren't talking
2 about displacing, we were talking about artists and
3 musicians, but --

4 Victoria, this is a quick question for you.
5 You talked about your concern about displacement, but
6 you didn't discuss whether or not you were for or, or
7 the Transformer organization was for the long-term
8 option to have artist studios be maintained at a
9 subsidized rate in a building that would -- cannot
10 sustain the current artists at a current viable or
11 financial project now.

12 MS. REIS: We have concerns as to what the
13 studio spaces would be designed as for the artists.
14 If the artists are involved in what the design of
15 those studios will be, if artists are going to be
16 required to be on display and exploited in such way
17 for hotel guests to have to watch them as they work.
18 If it's going to remove a level of privacy for the
19 artists in their creative pursuits, if the artists
20 are going to have full access to those studios in the
21 way that they do now. So we do have concerns.

22 MS. MOLDENHAUER: All right. So were you
23 aware of then, then change on the second floor in
24 regards to the redesign of the studio layouts?

25 MS. REIS: I am aware that there have been

1 redesigns since the initial proposal, but I am not
2 aware whether or not the artists have been consulted
3 as to whether those spaces will suit their needs.

4 MS. MOLDENHAUER: And the question about
5 privacy, though, so there are spaces on the new
6 design to lay out or that would have -- they'd be
7 farther away and have the opportunity to have more
8 privacy, and there's no longer a mezzanine level.
9 Are you aware of that?

10 MS. REIS: I am aware that changes have been
11 made. However, I am still concerned about whether or
12 not artists would be required to have public hours
13 for hotel guests. If artists would be required to
14 act colloquially to say, like, dancing animals in a
15 cage if they're on display for the benefit of the
16 hotel guests, rather than having the opportunity to
17 pursue their creative process in the way that they
18 currently do.

19 MS. MOLDENHAUER: Okay. But you're saying,
20 on display, but the new design actually has
21 substantial private rooms that are farther back and
22 not even visible from the current corridor or public
23 visible space.

24 MS. REIS: Yes, but as I asked in response,
25 would those artists be required to make public hours

1 of their space for hotel guests? Also I would ask --

2 MS. MOLDENHAUER: I don't believe that that's
3 actually part of our record that all artists would be
4 required to do that, so I'm not sure where you're
5 getting that from.

6 MS. REIS: Well, I'm asking. I'm asking for
7 clarification.

8 MS. MOLDENHAUER: At this point I'm asking
9 questions so if you have clarification we can provide
10 clarification on our rebuttal.

11 MS. REIS: Can you repeat the question that
12 you're asking?

13 MS. MOLDENHAUER: If you were aware that
14 there were redesigned private studios that are not
15 accessible to the corridor and are farther away from
16 the corridor than the original design.

17 MS. REIS: How many.

18 MS. MOLDENHAUER: That doesn't answer the
19 question, are you aware of -- so you're not aware of
20 it or you're not aware of how many.

21 MS. REIS: I'm not aware of how many.

22 MS. MOLDENHAUER: Okay. And then you
23 classified and you made a comment about the 89
24 percent loss and what number is that calculated based
25 on?

1 MS. REIS: My understanding is that based on
2 the original plan that that was an 89 percent
3 reduction in the current space for arts, artists in
4 the building.

5 MS. MOLDENHAUER: If you take possibility of
6 having 31,113 square feet and there's an existing
7 21,990, that's obviously more space that would be
8 provided at the hotel or at the proposed PUD site
9 than is currently rented at 411 Arts Union.

10 MS. REIS: More space for the hotel.

11 MS. MOLDENHAUER: No, more space for the
12 artists.

13 MS. REIS: No, I don't understand. But I
14 didn't -- that's not my understanding.

15 MS. MOLDENHAUER: You're not aware of that
16 and that's not your understanding. Okay.

17 MS. COHEN: Ms. Moldenhauer, maybe we need
18 another meeting to inform of the changes because
19 right now there's an exchange which isn't protocol.
20 You're asking a question, she's asking a -- you know,
21 it's --

22 MS. MOLDENHAUER: I think the reality of the
23 questions that we're trying to show is that a lot of
24 these individuals are here in the general concept of
25 concern about the arts program, but they don't

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1 actually know much about what's going on, on this
2 project. And so that's where I'm just trying to ask
3 some very small questions of each person and I'm
4 almost finished, rather than -- and I think that we
5 have had meetings, multiple meetings with the actual
6 opposition, but there is a large group of different
7 individuals who are testifying here today.

8 MS. COHEN: Which you have not met with. And
9 so that's the purpose for tonight?

10 MS. MOLDENHAUER: No. There are individuals
11 that are testifying that are concerned about the
12 overall city-wide concerns and are not specifically
13 aware of the benefits that this PUD is being
14 provided.

15 MS. COHEN: All right. But, you know, we're
16 going to have more testimony and I don't think you
17 should be using this to inform people. I think you
18 should request a meeting with people. It's just my
19 own opinion. I don't hear anybody else jumping in.

20 [Applause.]

21 MS. COHEN: We're supposed to tell you,
22 you're not supposed to clap, people. Please.

23 CHAIRPERSON HOOD: Since you were running the
24 meeting I was going to tell you that -- so. Okay.

25 MR. OTTEN: Chairman, and Vice Chair --

1 CHAIRPERSON HOOD: Hold on, let me finish.
2 Have you finished, Ms. Moldenhauer?

3 MS. MOLDENHAUER: With questions?

4 CHAIRPERSON HOOD: Cross-examination.

5 MS. MOLDENHAUER: No, I have one more
6 individual to cross-examine.

7 CHAIRPERSON HOOD: Okay. Let her finish and
8 we'll come over to you.

9 MR. OTTEN: Okay.

10 MS. MOLDENHAUER: Okay. Mr. Abrams, how long
11 were you personally at 411 New York Avenue?

12 MR. ABRAMS: About two years.

13 MS. MOLDENHAUER: About two years. And you
14 stated that you believe that the artist concept and
15 the benefits that are going on currently at 411 can
16 be possibly relocated with the assistance of the
17 applicant?

18 MR. ABRAMS: Yes.

19 MS. MOLDENHAUER: And can you explain why you
20 believe that this is a public benefit? We had a lot
21 of conversation, but the Comprehensive Plan and the
22 benefits and the public benefits. What do you see as
23 the public benefits for this project for the artist
24 community?

25 MR. ABRAMS: Well, it's a bigger picture.

1 This whole thing needs to get going first. And
2 that's one of the problems of it. We're kind of
3 trying to predict what's going to happen. And the
4 thing is, when the rubber hits the ground, then we're
5 going to know.

6 You've got gallery space, you've got meeting
7 rooms, you've got classroom space, you've got
8 recording space, musician space, you've got a drawing
9 sculpture garden kind of thing going on there.
10 That's a lot of access for artists who are organized.
11 And all of these artists can be organized. They've
12 obviously organized themselves to be here tonight.
13 So all they have to do, go to the events person, say,
14 I would like to put on this event, I'd like to do
15 this. You are in operation, you say you want to do
16 this, so let's do it.

17 And I think that's where that exchange starts
18 to grow. That's where that building is going to come
19 alive because it's going to come alive by the people
20 who are participating. And that's the key word,
21 participating. Because if you give the time, you
22 give the energy, the effort to research and know what
23 you're doing and what you want to do, that place
24 could be a gold mine for everybody because of just
25 the way that it's going to interact for the

1 community.

2 You know, you have possibility of teaching
3 space. Where all these artists who really know their
4 craft can go and teach. That's a great thing. Where
5 can you do that?

6 You know, and you could also have artist
7 exchange program there where artists from other
8 cities can come, stay at this hotel, have a studio to
9 work in, produce that work, have a show there, do all
10 that, make their connections, get that notoriety
11 because everybody is going to be looking at this
12 hotel. This is the first one in the city that says
13 they want to do this. Okay?

14 It's not far off that Douglas Development is
15 going to do this. The question has already been
16 asked of him, what are you doing over in Ivy City?
17 And he's got to respond. This may be just one of
18 many nodes. This is a thing to be really focused on.

19 We don't need one central location if we have
20 10 locations that are fulfilling the need. And
21 that's possible. It's networking.

22 MS. MOLDENHAUER: Just, are you aware of any
23 other art classroom space that provides -- that is
24 privately owned that provides a deaf design
25 guidelines and additional benefits for -- at a free

1 rate for artists that are a studio location?

2 MR. ABRAMS: I'm sorry, I'm not clear on your
3 question.

4 MS. MOLDENHAUER: The applicant here is
5 offering to design a classroom space that would be
6 designed to have additional services that would
7 benefit deaf individuals and to design towards deaf
8 design guidelines. Are you aware of any other artist
9 space in the District that has those benefits or is
10 part of a private institution and not a private
11 college?

12 MR. ABRAMS: No, I'm not aware, but I'm not
13 aware of all things in the city. So.

14 MS. MOLDENHAUER: No further cross-
15 examination.

16 CHAIRPERSON HOOD: Thank you very much.
17 Again, no one here is from the ANC. Mr. Otten, you
18 have any cross?

19 MR. OTTEN: Chair, I have just a point to
20 Vice Chair Cohen's acknowledgement of this.

21 The new revised plans we received four days
22 ago, there is some changes in it.

23 MS. MOLDENHAUER: Can I object. Are we going
24 to all of a sudden talk about a preliminary matter at
25 this point?

1 CHAIRPERSON HOOD: No. Actually I was
2 waiting for the Vice Chair to let me know whether or
3 not she was going to entertain that. Do you want to
4 hear what he has to say, because it's really out of
5 order.

6 MR. OTTEN: Well, the --

7 CHAIRPERSON HOOD: I know she asked it, or
8 she mentioned it.

9 MR. OTTEN: We support it because --

10 CHAIRPERSON HOOD: I realized that when
11 everybody clapped.

12 MR. OTTEN: Yeah.

13 CHAIRPERSON HOOD: And I think everybody who
14 clapped may not have been here when I did the opening
15 statement. So anyway.

16 MR. OTTEN: We're under duress under this.
17 We have to understand the full scope of this.

18 CHAIRPERSON HOOD: Well, yeah. I understand.
19 I understand that. So that may be something that may
20 come up at the end. Vice Chair, if you don't mind
21 can we do that at the appropriate time? Right now
22 we're in cross-examination.

23 MS. COHEN: Yes, sir.

24 CHAIRPERSON HOOD: Okay. All right. So I'll
25 uphold the objection. So if we can do the cross-

1 examination.

2 MR. OTTEN: Sure. Ms. Washington, come back
3 up here.

4 Let's go on to Ms. Natasha. I'm sorry. I
5 didn't catch your last name.

6 MS. HALL: Hall.

7 MR. OTTEN: Hall. What's your connection to
8 411 again?

9 MS. HALL: Currently, exhibiting about five
10 different refugee artists, some of which are now in
11 D.C. on the first floor.

12 MR. OTTEN: On the first floor. Okay. And
13 so Ms. Moldenhauer was just asking you about the new
14 plans. Plans in general for this type of setup with
15 artist space --

16 MS. HALL: Uh-huh.

17 MR. OTTEN: -- would you agree that there is
18 a difference between creative working space and
19 production space versus exhibition gallery space?

20 MS. HALL: Yes.

21 MR. OTTEN: And did you say you saw the
22 revised plans?

23 MS. HALL: Yes. Well, I've been told about
24 some of the edits on Sunday when we were all gathered
25 together.

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1 MR. OTTEN: So --

2 CHAIRPERSON HOOD: Can I ask you a question.
3 When you all were gathered together, was Mr. Otten at
4 that meeting?

5 MS. HALL: No.

6 CHAIRPERSON HOOD: Okay. Do you know Mr.
7 Otten?

8 MS. HALL: No.

9 CHAIRPERSON HOOD: Okay. Does anybody at the
10 table know Mr. Otten?

11 [No audible response.]

12 CHAIRPERSON HOOD: Okay. All right. So you
13 all met Sunday, because you mentioned Sunday. This
14 is the first I've heard of this. So you all met
15 Sunday. I know, was that the meeting with the --

16 MS. HALL: I was putting up artwork this
17 weekend and so I heard about the revised --

18 CHAIRPERSON HOOD: Oh, it wasn't on this
19 issue though. It wasn't on this issue. Was it on
20 this issue? Were you in that meeting?

21 MS. HALL: It was, I was just told about the
22 revised plan. I haven't actually read the full
23 revised plan, though.

24 CHAIRPERSON HOOD: Oh, you haven't read it.
25 You were told about it.

1 MS. HALL: Yes.

2 CHAIRPERSON HOOD: Okay. Okay. Ms.
3 Schellin, do we have -- we have everything in ISIS
4 right? It's up on the -- I would encourage you to
5 look at 15-19 for yourself.

6 MS. HALL: Uh-huh.

7 CHAIRPERSON HOOD: Okay.

8 MS. MOLDENHAUER: Can I then object to any
9 questions that regard the plan because there's a lack
10 of foundation in regards to what she's talking about.
11 She's talking about hearsay of what she heard during
12 a conversation, but she stated on the record just now
13 that she has not personally reviewed the full record.

14 CHAIRPERSON HOOD: I think I addressed that a
15 little differently. So I'm going to uphold your
16 objection, but I think she has a right to answer the
17 questions. I think she has -- I think you mentioned
18 that you did look at the first part, the first plan.

19 MS. HALL: Uh-huh. Yeah.

20 CHAIRPERSON HOOD: So she has done that.

21 MS. HALL: I'm pretty aware of it, so.

22 CHAIRPERSON HOOD: The problem is she doesn't
23 know the changes. That's why I referred her to ISIS
24 so she can look at Case No. 15-19.

25 MS. HALL: That's where I submitted my

1 testimony.

2 CHAIRPERSON HOOD: And learn it for yourself.

3 MS. HALL: Uh-huh.

4 CHAIRPERSON HOOD: And that goes to anybody
5 else who hasn't had an opportunity to look at it.
6 Okay?

7 MS. HALL: Sure.

8 CHAIRPERSON HOOD: All right.

9 MR. OTTEN: And, Chair, to that issue, I'm
10 wondering for the artist's union, the party that I'm
11 representing tonight, this new information that's
12 come on the record has a lot of information that we
13 need to digest. There has been questions back and
14 forth here between Ms. Moldenhauer and some of the
15 folks that testified. Will we get a chance to
16 examine them or cross-examine them on that
17 submission?

18 CHAIRPERSON HOOD: Would you like for us to
19 stop tonight and come back on March the 16th, and you
20 all meet and find out about the project, and
21 understand so when you come down here you can talk
22 about a project, and you have one project in front of
23 you? And I didn't even ask my colleagues. I just
24 threw that out there just now.

25 MR. OTTEN: I mean, I don't know. I'm

1 looking around the audience here. Is there
2 objections to that? Will people come back and
3 testify?

4 CHAIRPERSON HOOD: Yeah. But --

5 MS. MOLDENHAUER: We would obviously object
6 on the record to that. We have met with the group
7 twice. We've filed. I mean, the process of filing
8 the filings are public. At the last hearing we noted
9 that we were going to be providing a filing on the
10 record, and we filed on the date we stated.

11 CHAIRPERSON HOOD: Ms. Moldenhauer, let me
12 ask you, has there been a meeting with the group, or
13 at least the party and the ANC?

14 MS. MOLDENHAUER: There have been two
15 meetings.

16 CHAIRPERSON HOOD: Pertaining -- I saw you,
17 to the new --

18 MR. OTTEN: No.

19 CHAIRPERSON HOOD: To the new information.

20 MS. MOLDENHAUER: There have been two
21 meetings. There was one --

22 CHAIRPERSON HOOD: On the new information.

23 MS. MOLDENHAUER: And there was a meeting on
24 the 16th where we showed them the revised layout.
25 And then we also showed them the revised basement

1 layout, and we had a presentation by a group of the
2 artists that are represented by Mr. Otten in regards
3 to their goals and their desires for what they'd like
4 to see in the future.

5 And then we presented them with what we had
6 written in an e-mail on Wednesday the 10th. And so
7 they had received an e-mail on Wednesday the 10th
8 outlining the increase in spaces. They were able to
9 review that prior to our meeting on then the 16th.
10 And then we had opportunity to kind of discuss that
11 at the end of the meeting as well.

12 CHAIRPERSON HOOD: Why don't we do this; why
13 don't we do this. Why don't we continue where we
14 are, and after we hear from everyone testify, Mr.
15 Otten, we will take you up -- and I'm throwing this
16 out there, colleagues, see if you all want to agree
17 with this. We will take Mr. Otten first thing on the
18 16th after he's had a chance, his party and him have
19 had a chance to work on the new information from you
20 all. And then we won't hear from you tonight, Mr.
21 Otten. We will hear from you on the 16th.

22 So your testimony, your party's presentation
23 will be on the new information.

24 MR. OTTEN: That would be great.

25 CHAIRPERSON HOOD: Okay.

1 MR. OTTEN: We need the time.

2 CHAIRPERSON HOOD: Colleagues, let me ask,
3 let me ask, any objections up here? Any objections
4 up here?

5 MR. MILLER: I have no objection, Mr.
6 Chairman, but depending upon the timing if we get
7 through everyone who wants to testify.

8 CHAIRPERSON HOOD: That's what I was going to
9 try to do.

10 MR. MILLER: If we can get through I would
11 like to proceed with that. And if we have time to --

12 CHAIRPERSON HOOD: And we're going to cut
13 that off.

14 MR. MILLER: -- get to Office of Planning and
15 DDOT.

16 CHAIRPERSON HOOD: Do you all have any
17 information too?

18 MR. MILLER: Well, I'm just saying.

19 CHAIRPERSON HOOD: Yeah.

20 MR. MILLER: If we can get through as much as
21 we can through.

22 CHAIRPERSON HOOD: Yeah, that's --

23 MR. MILLER: And Mr. Otten have an
24 opportunity --

25 CHAIRPERSON HOOD: That's where I'm trying to

1 go.

2 MR. MILLER: -- to review the plans and any
3 questions about them.

4 CHAIRPERSON HOOD: That's where I'm trying to
5 go. So Mr. Otten's presentation, we won't have --
6 those issues won't come up on the 16th. His
7 presentation will be on the 16th after they've met
8 with the new information. But I do want to hear from
9 everyone who is here tonight and then, Mr. Otten, you
10 can present any outstanding issues because I don't,
11 you know, as far as the changes that were made, you
12 can comment on all that in your presentation. Okay?

13 MR. OTTEN: Okay. All right.

14 CHAIRPERSON HOOD: Ms. Moldenhauer, you have
15 a problem with that? And let me just say, March the
16 16th, you guys need to make that work because we've
17 already checked up here. I've already asked Ms.
18 Schellin to find out.

19 MS. MOLDENHAUER: We would put on the record
20 that we'd prefer to move forward this evening.
21 And --

22 CHAIRPERSON HOOD: Oh, we're moving forward.

23 MS. MOLDENHAUER: No, no, I'm saying but with
24 Mr. Otten.

25 CHAIRPERSON HOOD: But we won't finish.

1 MS. MOLDENHAUER: With Mr. Otten's testimony
2 as well. He's had an opportunity to review it. It
3 was stated but we will obviously, if this meeting
4 does not conclude tonight, will make ourselves
5 available for the 16th.

6 CHAIRPERSON HOOD: Yeah, I think that's the
7 way we're going to move. So let's go ahead and
8 continue. We're going to finish -- all public
9 testimony will be finished. We will hear from the
10 party, and then you will do rebuttal. We will have
11 cross on rebuttal on the 16th and that will be it.

12 MS. MOLDENHAUER: Rebuttal on the 16th? OP
13 and DDOT tonight?

14 CHAIRPERSON HOOD: Oh, that's right. I
15 forgot about OP and DDOT.

16 Let's see how far we get. It depends. If I
17 could dictate what's going to happen in the next few
18 hours I wouldn't be here because I'd be a
19 millionaire.

20 MS. MOLDENHAUER: All I'd like to say, one
21 last thing, is just that for the record I'd like to
22 have -- I mean, possibly, I don't know if it's been
23 recorded in the record because everyone -- no one
24 actually verbally stated anything, about who knows
25 and who did not know Mr. Otten. So there was only

1 one individual that obviously indicated that they
2 knew Mr. Otten, and it was Mr. Elder, on the record.

3 CHAIRPERSON HOOD: But, you know, everybody,
4 Mr. Otten is well known in the city. Just like
5 people, a lot of people know me. And I'm not going
6 to say I'm well known. I don't want to be conceded.
7 But people know me too. So I was just trying to
8 figure out when she mentioned about the meeting, I
9 just wanted to know if they had all went to a meeting
10 together. And that they are -- because he, I think,
11 a previous panel he said he didn't know anyone and
12 this is his first time knowing him. So I was trying
13 to find out if that meeting and they were there. But
14 it turned out that they didn't. Okay? All right.

15 Okay, you may continue.

16 MR. OTTEN: All right. I think we left it
17 with Ms. Hall. And you consider yourself an artist,
18 experienced artist. I think we were just talking
19 about, and let's leaving the new space to the side
20 for a moment, just your understanding of creative
21 working space versus gallery exhibition space. Do
22 you want to highlight that at all?

23 MS. HALL: Yeah. I mean, clearly there's a
24 difference where work is created and where it's
25 exhibited. I think being an artist in general is

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1 actually quite an expensive endeavor. One of the
2 earlier testimonies mentioned how expensive it is not
3 to get your work shown, but the amount, the
4 percentage that's taken out if you actually sell
5 artwork as well. So finding a place to actually do
6 the work and then exhibit it is actually quite an
7 expensive endeavor. So it's quite difficult to be an
8 artist as it is.

9 That being said, we've been asked if we're
10 aware of this and that. So I find it a bit
11 interesting that we're continually asked if we're
12 aware of this and that of this new proposal from a
13 developer that's trying to be inclusive of these
14 artists when they haven't actually spoken to a lot of
15 the artists that are in this building. Many of whom
16 think that they are just being thrown out in
17 September. So --

18 MR. OTTEN: I appreciate that. Okay. Thank
19 you. Ms. Washington, your --

20 MS. JOHNSON: Actually, Ms. Johnson.

21 MR. OTTEN: Oh, I'm sorry, Ms. Johnson.
22 Thank you. Ms. Johnson, you were talking about the
23 government's role in supporting its artists.

24 MS. JOHNSON: Yes.

25 MR. OTTEN: And does that come down to this

1 concept of a creative economy? Is there something to
2 that? What would you know about that?

3 MS. JOHNSON: I believe so. I believe that
4 America has historically been -- distinguished itself
5 by being an economy based on creativity based on new
6 innovations and technology, art. Most of modern
7 music have roots in the U.S., for example. So I
8 think it is the government's role to protect its main
9 asset, because it is how this country makes a lot of
10 its money historically.

11 MR. OTTEN: And is that -- would you be
12 surprised that the District of Columbia's Office of
13 Planning did not describe or analyze or even address
14 the artist, creative artist space, and by the artists
15 right now in the current 411 New York Avenue?

16 MS. JOHNSON: Can you rephrase that?

17 MR. OTTEN: Are you surprised that the Office
18 of Planning did not include the artists that are
19 there right now in their reports to this Zoning
20 Commission?

21 MS. JOHNSON: You mean, didn't -- you mean,
22 you --

23 MR. OTTEN: We were just talking about the
24 context of the government caring about its artists as
25 part of the creative comity -- economy.

1 MS. JOHNSON: I don't think it's a lack of
2 caring. I think it's a lack of knowledge, and I
3 think lack of knowledge of the role of art and the
4 role of creatives in the economy. I think it's
5 something that Americans don't fully understand the
6 importance of. So I think that's a common mistake.

7 MR. OTTEN: All right. Appreciate that. Mr.
8 Selassie, you mentioned you know, maybe we need to
9 take a look at this from the artist vantage point.
10 Are artists about pure economics?

11 MR. SELASSIE: They can be if they're talking
12 about a specific message, you know.

13 MR. OTTEN: But when you hear it in terms of
14 a project that is displacing artists, when you hear
15 developers say, this is pure economics, how does that
16 strike you?

17 MR. SELASSIE: I just see dollar signs and
18 that's not what we're aiming for as artists.

19 MR. OTTEN: Right on. I appreciate that.
20 Thank you.

21 Mr. Abrams, do you currently have a space at
22 411 New York Avenue?

23 MR. ABRAMS: No, I don't.

24 MR. OTTEN: When did you vacate the studios?

25 MR. ABRAMS: I guess 2013, 2014. I'm not

1 sure, really.

2 MR. OTTEN: And are you affiliated with the
3 411 Artist Union, the party that's here tonight?

4 MR. ABRAMS: No.

5 MR. OTTEN: So you're here testifying as an
6 individual?

7 MR. ABRAMS: As an individual. I also am
8 representing the Union Arts concept.

9 MR. OTTEN: And are you concerned at all that
10 once -- that there is no hotel operator identified at
11 this point and therefore things can entirely change
12 when that's done?

13 MR. ABRAMS: Well, you know, having a hotel
14 operator is a part of the process after the
15 development. I think what we're trying to focus here
16 is on the actual development. And I understand that
17 it may be difficult to find a hotel operator who
18 wants to work with arts in the building. So you
19 know, I think again, this shows the willingness for
20 DB Lee Rose to go ahead and work with the project
21 because they believe in it, not because it's making
22 extra money for them.

23 MR. OTTEN: And so to that end it sounds like
24 you've been in touch with Mr. Rose and Mr. Lee. You
25 can testify to that?

1 MR. ABRAMS: I am familiar with the hotel
2 industry and how it operates. And this is very
3 unusual.

4 MR. OTTEN: I'm asking you directly, you've
5 been in touch with Mr. Rose and Mr. Lee?

6 MR. ABRAMS: Of course, yes.

7 MR. OTTEN: Okay. As an individual, not --

8 MR. ABRAMS: As an individual.

9 MR. OTTEN: -- representing anybody.

10 MR. ABRAMS: That's correct.

11 MR. OTTEN: Okay. Thank you. Ms. Senada.

12 Ms. Senada. How you doing? Okay. You know
13 me. Okay. You were talking in your testimony about
14 that this is also a worker issue. And you said that
15 art and activism are inseparable. Do you see this
16 boutique hotel and arts project proposal as
17 separating art and activism in kind of the format
18 they're proposing?

19 MS. SENADA: Yes.

20 MR. OTTEN: How do you see that?

21 MS. SENADA: Well, in the current space I
22 think that -- I mean, I feel -- artist studios in
23 this warehouse space, I think is not as accessible
24 already. And in my experience there have been
25 opportunities for communities and other partner

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1 organizations to be exposed to arts and activism
2 where they normally won't be able to.

3 MR. OTTEN: Uh-huh.

4 MS. MOLDENHAUER: Just to put an objection on
5 the record, she's testifying to a comparison between
6 the current space and the proposed space. But it's
7 testified that she does not -- is not aware of the
8 plans.

9 MR. OTTEN: Okay. Sustained. Well, let's
10 go. Victoria.

11 CHAIRPERSON HOOD: If it works like that I'll
12 keep my mic off.

13 MR. OTTEN: I figured you'd appreciate that,
14 Chair.

15 All right. Victoria, what's your last name?
16 I'm sorry.

17 MS. REIS: Reis.

18 MR. OTTEN: Victoria Reis. And you said
19 you're the proprietor of Transformis (sic), is it?

20 MS. REIS: I'm the co-founder, executive and
21 artistic director of Transformer.

22 MR. OTTEN: Got it. You're concerned about
23 the loss of space right now between the current space
24 at 411 and what's proposed, even if it's just the
25 initial proposal, correct?

1 MS. REIS: I am concerned.

2 MR. OTTEN: I want to ask you the same
3 question I asked earlier. The creative working space
4 versus exhibition gallery space, do you want to
5 elaborate on that?

6 MS. REIS: Yes. They are two entirely
7 different things. Artists need their own space to be
8 able to create their work. Every artist has a
9 different creative process. I think there is a
10 problem here when a developer, or even a Cultural
11 D.C. who has done very good work in the city, doesn't
12 involve the artists in a proposed space for artists.
13 I think there is a problem in saying, well, we have
14 devised classroom space for artists. That is
15 assuming that all of these artists want to be or are
16 teaching artists. Artist education is an entirely
17 different field than being fine artists who exhibit
18 their work either commercial galleries, nonprofit
19 spaces like Transformer, or museums. There are many
20 artists who teach, but not all artists teach, and not
21 all artists should be required to teach.

22 There are some artists who might thrive in a
23 situation of having a studio space that is required
24 to be open to hotel guests.

25 MS. COHEN: Excuse me. I think what we just

1 need more pointed -- you're lecturing us about these
2 difference. I think we do understand it because
3 several people have also noted that.

4 MS. REIS: Forgive me. Excuse me. I was
5 responding to his question and also further
6 responding to the attorney's question when she was
7 asking about space.

8 MS. COHEN: We're being very repetitive again
9 and there are many people that still want to testify.
10 That's all that I'm saying.

11 MS. REIS: Okay. Simply responding to the
12 question I was asked.

13 MS. COHEN: Okay. I appreciate it.

14 MR. OTTEN: Thank you, Ms. Reis. Let me ask
15 you this, would you consider art hung on restaurant
16 walls or in a lounge on walls, within this restaurant
17 space, is that gallery space?

18 MS. REIS: No, that's a restaurant with art
19 on the walls.

20 MR. OTTEN: And how about a bar scene in a
21 lounge?

22 MS. REIS: No, that is a bar or restaurant
23 with art on the walls.

24 MR. OTTEN: Okay.

25 MS. REIS: That is not an art space.

1 MR. OTTEN: And is that what you mean by,
2 when you said step backwards?

3 MS. REIS: Yes.

4 MR. OTTEN: Because the current space is an
5 actual work space.

6 MS. REIS: That is an artist studio space
7 where artists are free to pursue their creative
8 process.

9 MR. OTTEN: And --

10 MS. REIS: As they see it. As they each
11 individually see it.

12 MR. OTTEN: Right on. And so you talked
13 about the PUD process and discussion of public
14 benefits as part of that process. Did you not?
15 Maybe not.

16 MS. REIS: Can you rephrase your question?

17 MR. OTTEN: The process we're in right now,
18 this zoning entitlement process, you were talking
19 about how public benefits are an important part of
20 that. It should be --

21 MS. REIS: I did not address that.

22 MR. OTTEN: Okay. I'm sorry.

23 MS. REIS: Particularly my testimony.

24 MR. OTTEN: Right on. Okay. I appreciate
25 your testimony.

1 Mr. Elder, you're representing Unite Here.
2 That's the hotel union, they're a hotel worker's
3 union?

4 MR. ELDER: Right. That's the local for the
5 D.C. Metro area.

6 MR. OTTEN: And you're also -- you mentioned
7 that this PUD process allows for a public entitlement
8 for the developer? Did you mention that?

9 MR. ELDER: I didn't mention that.

10 MR. OTTEN: Okay. But you're saying that the
11 benefits of the current space outweigh what's being
12 offered as benefits in the new space?

13 MR. ELDER: I did say that and I made the --
14 actually no, yeah, that's all I said.

15 MR. OTTEN: Okay. Regarding --

16 MS. MOLDENHAUER: I would just generally
17 object to leading and to pretty much testifying by
18 Mr. Otten rather than asking questions.

19 CHAIRPERSON HOOD: Mr. Otten, I would ask
20 you, just ask the question and let them -- let's not
21 lead them into any answers.

22 MR. OTTEN: Okay.

23 CHAIRPERSON HOOD: So I would agree. So if
24 you could just ask the question.

25 MR. OTTEN: Right on.

1 CHAIRPERSON HOOD: And let them answer it.

2 MR. OTTEN: Is this --

3 CHAIRPERSON HOOD: How many more questions --
4 let me just ask, interrupt again. I'm sorry. How
5 many more questions do you have?

6 MR. OTTEN: Two more for Mr. Elder.

7 CHAIRPERSON HOOD: I mean, how many total.
8 Do you know how many you have total for --

9 MR. OTTEN: I'm done with the rest of this
10 panel.

11 CHAIRPERSON HOOD: Okay.

12 MR. OTTEN: Yep.

13 CHAIRPERSON HOOD: Thank you.

14 MR. OTTEN: You talked about, is this hotel,
15 the proposal for the hotel, is that, as far as you're
16 aware for a unionized hotel, or not?

17 MR. ELDER: It's a really complicated issue.
18 Definitely not when it opens. But labor issues are
19 probably beyond the scope of this. But no, I'll put
20 it this way, there's no agreement.

21 MR. OTTEN: When you say labor issues are
22 beyond the scope of zoning, does that take into
23 account the types of jobs -- aren't PUDs supposed to
24 take into account the types of jobs that are created
25 by whatever project is being approved?

1 MR. ELDER: Yes and no. The Comprehensive --

2 MS. MOLDENHAUER: I would just object to
3 foundation. He testified he doesn't even know how
4 many hotel jobs are actually going to be provided on
5 this site, despite it being filed in the record, so I
6 would object to foundation.

7 MR. OTTEN: The foundation is he's talking
8 about hotel jobs.

9 CHAIRPERSON HOOD: Hold on. Hold on. I'm
10 going to uphold that objection. Next question.

11 MR. OTTEN: No, I'm confused. I need to
12 understand my rights here. He testified to the hotel
13 jobs.

14 CHAIRPERSON HOOD: Let me just say, I'm going
15 to -- upheld the objection, next question.

16 MR. OTTEN: So jobs that are part of the PUD
17 application as proffered amenities as part of this
18 PUD application that's now before us, the types of
19 those jobs is important, is it not?

20 MR. ELDER: It is important. The
21 Comprehensive Plan, one of the policies in the
22 economic development element is living wage jobs. I
23 cannot speak to the nature of their jobs, though.

24 MR. OTTEN: And by living wage jobs what does
25 that refer to? Is that a union job?

1 MR. ELDER: I would say our --

2 MS. MOLDENHAUER: I'm going to object. This
3 is beyond the scope of the initial testimony.

4 CHAIRPERSON HOOD: Are you speculating? Are
5 you speculating? Hold on. The problem is, are you
6 speculating.

7 MR. ELDER: In my answer here?

8 CHAIRPERSON HOOD: Yeah.

9 MR. ELDER: Union jobs in --

10 CHAIRPERSON HOOD: Because we're talking
11 about, what is it, 170?

12 [Discussion off the record.]

13 CHAIRPERSON HOOD: Okay. We're talking about
14 over 150 plus hotel rooms, right? And you said 50
15 jobs. Are you speculating?

16 MR. ELDER: On that, yeah.

17 CHAIRPERSON HOOD: I'm not even in the hotel
18 business and I just want you to know that. I'm not
19 even in the hotel business and I know a little bit
20 more about that. So anyway, so are you speculating
21 is my question?

22 MR. ELDER: I'm speculating on the 50 jobs.
23 I don't know any --

24 CHAIRPERSON HOOD: Okay.

25 MR. ELDER: As I said.

1 CHAIRPERSON HOOD: So next question.

2 MR. ELDER: Well, he didn't ask me about the
3 jobs.

4 MR. OTTEN: I'm not asking the number of
5 jobs. I'm asking about the type of job and how it
6 relates to the Comprehensive Plan.

7 CHAIRPERSON HOOD: Well, let me ask you this,
8 let me ask, how do you going to know the type of jobs
9 for the -- are you talking about different types of
10 jobs? How you going to -- you really, I think you
11 were really off with the number of jobs for this
12 amount of rooms in a hotel. That's just my opinion.
13 But then again, I don't do this. But I think I'm
14 closer than you are.

15 MR. ELDER: Well, sorry, did you estimate the
16 number?

17 CHAIRPERSON HOOD: No, somebody asked you the
18 number earlier. So I just wonder why we're getting
19 into whether this is a union, why are we even getting
20 in to that?

21 MR. ELDER: Well, I've said that I don't
22 think that labor issues per se should be discussed.

23 CHAIRPERSON HOOD: Right. So let's just --

24 MR. ELDER: But he asked me about job quality
25 which is in the Comprehensive Plan.

1 CHAIRPERSON HOOD: Okay. So if it's
2 pertaining to the Comp Plan, ask the question, give
3 him the answer. But something that's not in the Comp
4 Plan, it's not in our jurisdiction about whether it's
5 union or not, we don't need to get into it.

6 MR. ELDER: All right.

7 CHAIRPERSON HOOD: Okay?

8 MR. OTTEN: Okay. Thank you.

9 CHAIRPERSON HOOD: And I'm not -- I'm
10 directing that to Mr. Otten.

11 MR. OTTEN: Well, I mean, anyway, we'll go
12 into that interview in the presentation. Thank you.

13 MS. MOLDENHAUER: Before this pane is --
14 could I just have two questions that I believe that
15 Mr. Otten went beyond the scope of the initial
16 question? I have two questions for just two of the
17 individuals. One question for each. Okay. Cross?

18 CHAIRPERSON HOOD: So you're going to cross
19 the cross.

20 MS. MOLDENHAUER: Yes.

21 CHAIRPERSON HOOD: Normally only time we
22 cross is cross rebuttal.

23 MS. MOLDENHAUER: Yes. And I believe the
24 standard for which I should be permitted is because
25 they went beyond the scope of the initial testimony.

1 CHAIRPERSON HOOD: And what were the two
2 questions?

3 MS. MOLDENHAUER: One question is for
4 Natasha, and it has to do with Commissioner Hood's
5 question about community discussion.

6 And, Natasha, you said that you attended a
7 meeting on Sunday night. Is that correct?

8 MS. HALL: I was putting up artwork on Sunday
9 night and I was told about the revised plan.

10 CHAIRPERSON HOOD: Hold on, first of all I --
11 first of all, hold on. I need a lot of questions. I
12 wanted to know what the two questions were.

13 MS. MOLDENHAUER: So I was under the
14 impression that Natasha attended a meeting on Sunday
15 night and I wanted to know if she was aware that
16 Dennis Lee asked twice to be a part of that meeting
17 to provide information about the revised plans.

18 CHAIRPERSON HOOD: I thought something -- I
19 heard something totally different. But you know,
20 it's getting late. I've been fighting now for about
21 two hours, or three. So I thought she had addressed
22 that. I thought that was addressed that somebody had
23 mentioned something to her. So I don't even know the
24 scope of your question now, so then once you're going
25 to cross the cross and then Mr. -- he don't want to -

1 - Mr. Otten is going to want to cross the cross the
2 cross, and we're going to be here all night, so I'm
3 going to rule both of those out of order. Okay? All
4 right.

5 All right. Thank you.

6 MR. TURNBULL: Mr. Chair.

7 CHAIRPERSON HOOD: Yes.

8 MR. TURNBULL: Before you go, I just have one
9 question for Ms. Hall. And I don't know if you're
10 aware, I mean, we granted Mr. Otten party status, he
11 and his group because we were led to believe that he
12 represented the artists at 411. Are you aware of
13 that? I mean, if you have a question about what's
14 going on, Mr. Otten is the lead for getting out the
15 information to anyone also he's -- I mean, there's
16 major tenants who rent space there, and then there's
17 other people that come under those tenants from what
18 we understand. And I'm assuming you're aware of all
19 that.

20 MS. HALL: I don't rent out space at 411. Is
21 that what your question is?

22 MR. TURNBULL: Right. Well, then what I'm
23 saying is, there is artist who are paying money to
24 rent --

25 MS. HALL: Yes.

1 MR. TURNBULL: -- out that building. And he
2 represents those people. So if you need to know
3 something you need to stay in touch with Mr. Otten.
4 He's the disseminator of the information from the
5 applicant to anyone else in the building. That's
6 what we're lead to believe. So when you say that
7 maybe the artists don't know about it, we're assuming
8 that Mr. Otten is the lead person in disseminating
9 all the information to everyone else there. Not this
10 body, but Mr. Otten. Okay?

11 I don't know if you're aware of that, but I
12 mean, what some of your comments sort of led that the
13 information is not getting out to the artists.

14 CHAIRPERSON HOOD: When a Commissioner is
15 asking you a question, you can respond. I don't --

16 MR. TURNBULL: Yeah, you can respond. I
17 mean, I didn't know if you were aware of that
18 procedure or that aspect that we have been sort of
19 led to believe is the point of direction which we're
20 heading on this, that Mr. Otten is the point person.

21 I don't want to make it too difficult for
22 her. That isn't --

23 MS. HALL: Yeah. No, I mean, I think this
24 goes back to the point of displacement. I think if
25 you're trying to include artists that are existing in

1 411 as they are right now, into the future plan, then
2 you should be talking to those artists directly. I
3 don't think he's going to have the proposal for every
4 single --

5 MR. TURNBULL: He is -- he's the point
6 person.

7 MS. HALL: No, I think he's --

8 MR. OTTEN: We got the proposal four days
9 ago.

10 MS. HALL: Yeah.

11 MR. OTTEN: The new revised proposal.

12 MR. TURNBULL: Right. But as far as our
13 concern is how the artists in the building are
14 knowing about it, we can't -- we're under the
15 assumption that Mr. Otten --

16 MS. HALL: Right.

17 MR. TURNBULL: -- is dealing with all of
18 that.

19 MR. OTTEN: Right. Commissioner, there's 100
20 plus artists there, not all renting.

21 MR. TURNBULL: Right.

22 MR. OTTEN: Right? So the people who are
23 renting, the people who I meet with regularly that,
24 you know, like twice a week now, rent and have space
25 in that, and through their networks that's how we're

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1 operating.

2 MR. TURNBULL: Well, that's what we're
3 assuming, that the information is getting down to all
4 of those that don't rent, that somehow are able to --

5 MR. OTTEN: I'd be glad to take Ms. Hall's
6 info and add you to the list that we're using to let
7 people know what's going on there, but --

8 MR. TURNBULL: I would think that the
9 Commission would think that that's the most
10 appropriate thing.

11 MR. OTTEN: Yeah, no problem. Yeah, we --
12 yeah, we're not trying to hold information back.

13 MR. TURNBULL: No, we just want to make sure
14 that the information that the applicant has put out,
15 that's on the record and you -- we're hoping the idea
16 is that you're the lead, you're the key, you're the
17 go-to guy, and that that's how it's getting out to
18 everybody.

19 MR. OTTEN: Yes. Yes, but you can imagine
20 the duress. We get this information four days ago.

21 MR. TURNBULL: Yeah.

22 MR. OTTEN: We're here now tonight. We're
23 you know --

24 MR. TURNBULL: Okay.

25 MR. OTTEN: -- going in full in PUD you

1 know --

2 MR. TURNBULL: No, I understand.

3 MR. OTTEN: -- application process, so
4 there's a lot of stress. There's a lot of people who
5 are concerned about this. We do want to inform
6 everybody as we're moving forward.

7 MR. TURNBULL: Okay.

8 MR. OTTEN: And yeah, I mean, we've collected
9 a bunch of signatures tonight on a petition so we're
10 -- all the folks who are coming out to these
11 hearings, we're knowing. And we also have on the
12 record, their information from the sign-in sheets.

13 MR. TURNBULL: Good. Good. Thank you.

14 MR. OTTEN: Yes. Thank you.

15 MS. MOLDENHAUER: I have to put an objection
16 on the record to the reference to duress. We object.
17 We do not believe that there has been any duress.
18 The record is public. This is a public process. And
19 the filing was pursuant to a notice that was provided
20 at the original hearing. I'm sorry. I just had to
21 put that on the record.

22 CHAIRPERSON HOOD: Okay. So noted. All
23 right. Let's move forward. Thank you all very much.
24 We appreciate it.

25 Okay, let me start. How many additional

1 people we have that want to testify? Okay. Okay. I
2 see we're putting a dent in it.

3 Okay. Let me go with the three furthest to
4 my left. The gentleman who is standing up in the
5 back, the other person who had their hand up, and the
6 young lady right here with the glasses. Yes, you
7 three come on up.

8 Actually, I see some -- maybe they're
9 leaving. Yeah, everybody who I just pointed. Yeah,
10 the gentleman that -- yeah, if you could tap him on
11 the shoulder. Okay. I haven't called you yet Okay.

12 Were you standing up?

13 MS. COHEN: Yeah, he was.

14 CHAIRPERSON HOOD: Okay. You all three.
15 Yeah, you three. I tell you what, sit on this end
16 and I'll start down here.

17 Okay. Let's, going to be on this side. The
18 gentleman here who I see, the young lady here, and
19 the young lady right here. And the gentleman in the
20 back with the hat. And the other gentleman who has
21 his hand up, come forward.

22 Oh, I'm sorry. I have to get your -- I think
23 we've got one person. I think that's it for this
24 round.

25 Now those who want to testify, we have some

1 empty seats. Stay on your side because I'm going
2 side to side, but move in so I can see you. And if
3 there's somebody behind the pole raising your hand, I
4 cannot see you. I'm going to make sure I get you the
5 next time. Do just exactly like that, I'll make sure
6 I get you.

7 How many people do we have additional to my
8 left?

9 MS. COHEN: We can't see you.

10 CHAIRPERSON HOOD: Okay. I can see him.
11 Yeah, those who are behind the -- yeah. Yeah, if you
12 can move so we can see you. Okay. So we're getting
13 there.

14 Did I call you? Can you wait? We have a
15 gentleman who is coming back. Okay. All right. I
16 think everyone from downstairs is up, so we're good.
17 We may finish tonight. We'll finish.

18 This young lady to my left. To my right. To
19 my right. To your left. Turn your microphone on and
20 turn it down and speak into it. There you go.

21 MS. POMEROY: Hi, I am Jane Pomeroy. I am
22 reading this statement for Carolyn Reece Tomlin who
23 is leasing as one of the tenants. She fell and
24 injured her knee today and is immobile. So this is
25 her statement.

1 "To whom it may concern, I am a visual artist
2 currently leasing studio work space in Union Arts
3 building, New York Avenue. This building has been
4 used by some of the artists for over 30 years.
5 Artists and musicians working in this building have
6 won awards, received recognition by the press, shown
7 in the best galleries and museums, and performed in
8 D.C. New York, New York. It is very sad when a great
9 city like Washington, D.C. is letting this building
10 go for a boutique hotel with a slight concession to
11 artists."

12 "Isn't it possible for D.C. to make a
13 compensation to artists by making another building
14 available? Otherwise we will move to other areas and
15 D.C. will lose out. As New York and other cities
16 show, artists make a city vital and worthwhile in
17 many ways. Most of the artists and musicians in this
18 building are not going to work in a boutique hotel.
19 To be blunt, we are too messy and loud. We have soul
20 and spirit and address issues of concern, not just in
21 this city, but issues of concern to this country and
22 the world. What other artists should be working in
23 the national capitol?"

24 "For now we are hoping that D.C. will support
25 funding for the arts that offers a reasonable space

1 for us to work. The number of spaces for us to work
2 in D.C. is shrinking, and in fact almost impossible
3 to find."

4 "The proposed boutique hotel only includes
5 seven artists who would have to treat their work as
6 commercial enterprise. Not all artists can work in
7 this way. Great cities support great art and great
8 musicians. Help us make D.C. one of those cities.
9 Carolyn Reece Tomlin."

10 MS. LUIS: Hello everybody. My name is
11 Adriel Luis, and I live and work in Washington, D.C.
12 as a curator at the Smithsonian Institution. Today
13 I'm not here to speak on behalf of my institution but
14 I do speak as someone whose career is in cultural
15 preservation. As someone who is officially mandated
16 to identify the art and culture that makes America
17 what it is.

18 So as a cultural preservationist I'm
19 horrified that our nation's capital, a place that's
20 supposed to be an example for the rest of the nation,
21 that here we even have to argue as to why we
22 shouldn't be shutting down the last remaining artists
23 residents building.

24 And I believe that I know where developers
25 are coming from. I work at a tourist destination. I

1 am a D.C. transplant, so I have experience being a
2 tourist here. And it was neighborhoods like U Street
3 and businesses that no longer exist on U Street that
4 brought me here in the first place.

5 D.C. has no shortage of places to go, eat, or
6 sleep if you're here for a visit. But what we're
7 losing is places to go if you want to live here, if
8 you want to create here. If you want to contribute
9 to the vibrant, distinct, unique District of Columbia
10 culture that I was so excited to move here to
11 experience and so disappointed to find has been
12 systematically pushed out of the city limits.

13 As a curator the core of my job is to bring
14 emerging artists to the national stage through
15 exhibitions at one of our numerous museums. 411 New
16 York Avenue has been the single most productive space
17 for me where I have been exposed to more artists than
18 any other space in the District. Many of these
19 artists who I am now working with to bring to our
20 national museums.

21 This is a relationship that curators in art
22 rich cities like New York and Los Angeles enjoy
23 through their numerous art spaces. But is increasing
24 challenge for Washington, D.C. curators like myself,
25 who hope to spotlight Washington, D.C. arts and

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1 culture.

2 The loss of Arts Union is a loss of a major
3 resource for curators like myself, and as a cultural
4 preservationist I see this proposal tell as a burned
5 bridge between our national institutions and the sort
6 of organic grass roots and intrinsically D.C. nature
7 of arts that the Arts Union D.C. offers. Thank you.

8 MS. COHEN: Thank you. Next, please?
9 Identify yourself.

10 MS. MIMISH: Hi. Good evening. My name is
11 Amal Mimish and I'm here on behalf of D.C. for
12 Reasonable Development. I'm actually kind of sorry
13 that I'm here in front of you again tonight. I have
14 testified here before about my concerns for land use
15 in Ward 5 and Ward 1. I think the Office of Planning
16 has completely failed and continues to fail to plan a
17 dynamic and diverse city. The Office of Planning is
18 putting profit before people, before the residents
19 and before small businesses. They're putting profits
20 before history and authentic culture in the District
21 of Columbia.

22 Quite frankly, when it's all said and done I
23 think the Office of Planning is going to find that
24 they have created a boring upper middle class pale
25 suburbanite city that lacks authentic diversity and

1 creativity.

2 The Office of Planning is not doing its job
3 and that should concern everybody in this room and
4 anyone else who is watching from home, or who will
5 watch on the recording of this hearing. And I'm here
6 tonight in opposition of the consolidated planned
7 unit development and related map amendment for Lot
8 800, Square 3595 at 411 New York Ave. Northeast.

9 The existing building houses, as you know,
10 workspace for hundreds of local D.C. artists who are
11 under threat of permanent displacement as a result of
12 the applicant before you tonight. The artists who
13 make use of this space are vital to the culture of
14 the neighborhood and the city as a whole.

15 I would like to bring to your attention, a
16 number of government initiatives led by the mayor
17 which are in place to preserve spaces like that of
18 the existing 411 New York Avenue Northeast. For
19 example, the deputy mayor's office for planning and
20 economic developments, action omics D.C. Incubator
21 Initiative seeks to support artist collectives like
22 the one that is under threat tonight. Excuse me. As
23 stated the Incubator project seeks to quote, support
24 small business development through incubators and
25 shared workspace. The group's efforts built upon

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1 existing -- it was a working group. The working
2 group's efforts built upon existing research
3 comparing best practices, reviewing the strengths of
4 existing incubation activity, and developing the
5 general framework for business incubation in the
6 District.

7 In addition DMPED's D.C. Creative Action
8 Agenda is in place to support creative employment and
9 business opportunities to promote revitalization and
10 enlivening of underserved areas through arts and
11 creative uses, and to better utilize and connect the
12 District's creative economy assets and support
13 systems.

14 CHAIRPERSON HOOD: Okay. Thank you. Next.

15 MR. NEM: My name is Matthew Nem. I am
16 currently an artist resident at the 411 New York
17 Avenue. I've maintained a studio there for the last
18 four and a half years. As an artist committed to
19 promoting and advancing creative production and
20 culture in Washington, D.C. through exhibitions,
21 curating, public lectures both regionally and
22 nationally I can't support the rezoning of 411 New
23 York Avenue.

24 From the perspective of a visual artist, the
25 diminishment of space is not acceptable. According

1 boutique art hotel at 411 New York Avenue, in place
2 of actual artist studios seems to me is a redundancy
3 given the 216 room Baywood Hotel currently under
4 construction next door. As a member of the creative
5 class who has worked to sustain, promote and grow
6 D.C.'s creative constituency for future generations,
7 I cannot support this endeavor for economic as well
8 as civic concerns. Thank you.

9 MS. VONTRESS: My name is Geena Vontress. I
10 am an independent film maker and DJ. Union Arts has
11 provided me a space to be able to not only perform,
12 but to also showcase my art. I was able to directly
13 access people that were able to give me space to not
14 only showcase my phone, and also give me space to
15 perform and be a DJ.

16 I believe, with the hotel, artists, not only
17 myself, will lose that interaction, that direct
18 interaction with people who are controlling those
19 spaces to be able to showcase their artwork and to --
20 yeah, showcase their artwork and we will lose that
21 intimacy. That's it.

22 MS. BLOOM: Hi. I'm Julia Bloom and I live
23 in D.C. and I've worked in the building for nine
24 years, and I'm a visual artist, and I oppose the
25 hotel project. I think it's a big step backwards in

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1 Washington. The artists who work in the Union Arts
2 building represent one of the few self-regulating art
3 communities that we have. We're not juried in by
4 outside forces like the plans that they have. We've
5 come together organically and this building is one of
6 the special aspects of the city, representing all
7 sorts of artists and musicians. It's a really hard
8 thing to quantify as there isn't necessarily a direct
9 economic payoff, but it contributes to the character
10 of the city which is in direct contrast to those
11 sanitized shopping, eating, hotel areas that we've
12 seen all over the country.

13 I feel that the hotel is using us, also, the
14 creatives who work there, to kind of get their zoning
15 passed. I'm not convinced they have any particular
16 interest in art and I think it's a useful handle to
17 getting their zoning passed.

18 We, the creatives, don't benefit from their
19 plan. And as a matter of fact we become displaced.
20 Unfortunately many of us will probably have to work
21 outside of the city. A lot of people are going to
22 Hyattsville, Arlington. This is, I think, very
23 tragic for Washington, D.C., which is the capitol of
24 our country and should set the gold standard for
25 culture in our country. Thank you.

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1 MR. JACKSON: Hi. My name is Alonzo Jackson.
2 I am a native Washingtonian. I volunteer. I'm a
3 student at Union Arts, and I am here, we're here
4 because we're opposed to the rezoning. We're
5 actually, we're pleading with you because we want to
6 be represented. You know, we are -- the developer's
7 lawyer doesn't really have anything invested in this.
8 The lawyer is here because she's getting paid, most
9 likely. And we're here because we love and we
10 appreciate and we know the value of space and the
11 environment that is there.

12 And you have to realize that when -- what
13 you're taking away is actually our environment. It's
14 our home. When you guys go home tonight, all of you,
15 you're going to your home where you have, you have
16 your flowers and you've arranged everything the way
17 you like it, and that's your space. And that's, you
18 know, you come home after work and after this meeting
19 where everyone is stressed, you're ah, you're
20 relaxed. And that is what we need. We need to be
21 able to express ourselves and we're trying to convey
22 the fact that they can't take this -- they can't
23 create a space for us. You can't put Bootsy Collins
24 in a suit and think he's going to be funky. He left
25 James Brown's band, you know, for that rigidity.

1 And that's what we are. We are artists. And
2 D.C. -- you know, I lived in Salvador in Bair, Brazil
3 for about six years. And that is a city of artists.
4 I literally lived in Hue Vermilliou (phonetic) on the
5 side of a mountain that was carved out of just
6 artists, and it was an environment of creative space
7 and people all over the world go there because of the
8 environment that is there.

9 And we need you to be future thinkers in a
10 sense and realize that hey, like someone here said,
11 you take away you're -- what are you creating?
12 You're not creating hotel -- you're creating hotels
13 and taking away the art, the essence. You know, the
14 people who are going to perform at hopefully the
15 Kennedy Center and all these artistic venues. We are
16 the breeding ground for that and so you know, I'm
17 hoping that we can be represented here because the
18 lawyers, like I said, they don't care about anything
19 but the money. I know money is important but there
20 are things that have more value and so we're holding
21 on to that. We're fighting for that. So that's our
22 voice.

23 MR. RIDLER: Good afternoon. I'm Christopher
24 Ridler. I'm also an artist at the studio space. I
25 actually brought some of my artwork if I could hand

1 it up, you could pass it down.

2 CHAIRPERSON HOOD: I think once you hand it
3 we can't give -- okay. So you're giving it to us.
4 Okay.

5 MR. RIDLER: But real quickly this painting
6 is actually called Tetrocity, and Tetris as in city.
7 Tetrocity. I'm playing with words. I'm a -- my last
8 name is Ridler. I also bring a component of a
9 question mark. Like, what is art? This is an
10 opportunity for us to educate the people and D.C. is
11 culturally rich. It has a lot of history here, and
12 art is healing. Art is sacred. A lot of things
13 aren't being addressed and seen, and I'm very upset
14 to see that there is so much misunderstanding here.
15 And that there is so much potential and opportunity
16 in all of us. And I see the best in all of us. I
17 see the worst in all of us. I'm a Libra. I see the
18 black and white.

19 But I'm also focused on the 50 shades of
20 gray, the 50 shades of every color. There's a lot
21 going on here right now, and it's hard for me even to
22 process and speak from my heart. I didn't want prep
23 speech. I want to speak to you individually. I want
24 to look at your eyeballs. We are people. We are
25 humans. This is dehumanizing displacement. Because

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1 I went from Oakland to D.C. and I've seen the echo of
2 how to raise a family. San Francisco is compared to
3 Oakland and it's like -- and San Francisco
4 gentrifications have been the worst. It's the
5 hardest to raise a family in. It's one of the most
6 expensive. And now, like, there is no support for
7 arts and it's just continuously happening that we can
8 find this model that's still existing that artists
9 come in and change the space and bring all this color
10 and flower of life and then business minded people
11 come in and buy it and downplay it and bring in what
12 is high class art. What is authentic? My art is not
13 for sale. I can sell some prints, but I still
14 possess my paintings because I play on a spiritual
15 plain. Not enough of you are bringing that.

16 Like ask yourselves, are you watering your
17 human? What thoughts are you giving yourself? Are
18 you feeding the greed? That is killing the planet.
19 All of these things are major cross-roads. This is
20 all connecting. This building is a colorful
21 building. The most -- the building that has the most
22 stories in the city is the library, but what does
23 this building represent when it is the most cultural
24 rich? What building matches this? Have you even
25 evaluated what this building is doing? What art

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1 does? Have you even gone there.

2 I'm seeing a lot of this blank face. Are
3 people even able to think past themselves? Get
4 outside of your own mind. What about all of us?
5 Well, family. The more you separate us, the more
6 we're going to hold hands and come together. The
7 more love we have, the more we want to express.
8 There's so much that's happening right here. The
9 fact that we're not supporting grass roots and
10 artists and activism. Like, what is that? Why are
11 we here?

12 CHAIRPERSON HOOD: Thank you. Okay. Let's
13 see. Any questions up here? Colleagues? Any
14 questions at this time?

15 MS. COHEN: Yeah.

16 CHAIRPERSON HOOD: Vice Chair Cohen.

17 MS. COHEN: Yeah, I just wanted -- it's very
18 short, but the lady that represents Responsible
19 Development. You said a number of things about the
20 Office of Planning tonight that were not very
21 positive, but you did say a number of things about
22 the Office of Economic Development, and I do want to
23 say to you that the Office of Planning falls under
24 the Economic Development. I don't need your
25 response. I just wanted to correct your impression.

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1 Thank you.

2 CHAIRPERSON HOOD: Any other comments or
3 questions up here?

4 Ms. Moldenhauer, you have any cross-
5 examination? Okay. Just sit back right there
6 because the other person, Mr. Otten may have some
7 questions for you. Just sit right in that front row.

8 MS. MOLDENHAUER: Mr. Ridler, you spoke very
9 passionately and I just have to ask, do you believe
10 that the passion that you're stating actually can
11 live within one building, or is it rather living
12 within all of the people and all of the artists?

13 MR. RIDLER: As creatively speaking, we're
14 shadows of creative. If you create a problem, we're
15 going to create a solution. We're creatively being.
16 We're energy. You cannot kill energy. And what we
17 are doing is just simply responding to what you throw
18 at us. You want to push us to the brink, we're going
19 to think of ways to like support each other, through
20 acts of love, through acts of things. Not hate and
21 profit over people.

22 You try and divide this artist, this family.
23 Put us in seven spaces out of -- some of these groups
24 bring in 50 to 20 artists, like, that are not even
25 associated with that building. Like what do you even

1 speak on behalf of these groups and movements and
2 grass roots, and what is activism to you? Like why
3 do we even have activism?

4 MS. MOLDENHAUER: Next question for Ms.
5 Brooms. You said that you've been a tenant in the
6 building for nine years?

7 MS. BLOOM: Yes.

8 MS. MOLDENHAUER: Can you just turn your
9 microphone on? You have to kind of hit it. Thanks.

10 MS. BLOOM: Yes.

11 MS. MOLDENHAUER: Were you a part of the
12 meeting on Sunday night?

13 MS. BLOOM: I was not.

14 MS. MOLDENHAUER: Were you invited to be part
15 of the meeting in Sunday night?

16 MS. BLOOM: Not really. I didn't really
17 know. We were having open studios during the day.

18 MS. MOLDENHAUER: Was there any e-mails that
19 you received kind of informing you of what's going on
20 or what the other meetings that the developers had or
21 the applicant has had with the 411 Union Group?

22 MS. BLOOM: I wasn't aware of a meeting. I
23 sort of heard about it while I was having my open
24 studio and I couldn't really leave my studio.

25 MS. MOLDENHAUER: You stated that -- I think

1 you stated that the developer is using you and it's
2 not a benefit. Are you aware of the five other PUDs
3 that are in the Union Arts area that are providing no
4 arts benefits?

5 MS. BLOOM: No, but I can imagine.

6 MS. MOLDENHAUER: Are you -- were you
7 provided any information by Mr. Otten or any of the
8 other tenants in the building regarding a list of
9 relocation options for tenants?

10 MS. BLOOM: Oh, yes. I've seen lists.

11 MS. MOLDENHAUER: You've seen lists. Have
12 you taken any action to contact other spaces to try
13 to find another location?

14 MS. BLOOM: Yes.

15 MS. MOLDENHAUER: You have?

16 MS. BLOOM: Yes.

17 MS. MOLDENHAUER: And what were the prices of
18 those locations?

19 MS. BLOOM: Well, I was just rejected from
20 Arlington Art Center today. And that's very low
21 price. It's subsidized studios.

22 MS. MOLDENHAUER: What is the subsidized
23 price?

24 MS. BLOOM: I don't know the per square
25 footage, but for like a 250 square foot studio it's

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1 about \$250. It's about a \$1 a square foot.

2 MS. MOLDENHAUER: And so are you aware of the
3 applicant's efforts to try to help the artists find a
4 temporary relocation option and then have the
5 opportunity to come back to the building?

6 MS. BLOOM: I'm sorry. I don't quite
7 understand the question. Can you repeat it?

8 MS. MOLDENHAUER: Are you aware of the
9 applicant's effort to try to help the artists find a
10 temporary place for relocation and then come back to
11 the building.

12 MS. BLOOM: Oh, you mean for the artists who
13 will be selected to be in the hotel?

14 MS. MOLDENHAUER: No, for the artist that
15 would possibly be able to design their own space on
16 the third floor for 11,000 square feet?

17 MS. BLOOM: I saw that. That's not something
18 I would be able to afford and so I'm not interested
19 in that.

20 MS. MOLDENHAUER: Thank you. I have a
21 question for Ms., is it Lemish?

22 MS. MIMISH: Mimish.

23 MS. MOLDENHAUER: Mimish. Sorry. I was
24 trying to jot that down quickly. Mimish. Ms.
25 Mimish.

1 Are you aware -- as earlier stated you had a
2 lot of comments about Office of Planning. Are you
3 aware of the zoning rewrite that was occurring in the
4 District of Columbia?

5 MS. MIMISH: Unfortunately, yes.

6 MS. MOLDENHAUER: Did you participate in that
7 process at all?

8 MS. MIMISH: I am -- I have attended a number
9 of meetings about the zoning, the ZRR.

10 MR. OTTEN: I object. There is no foundation
11 for this.

12 MS. MOLDENHAUER: There was multiple
13 statements that Office of Planning has done nothing,
14 and I'm just curious as to what --

15 CHAIRPERSON HOOD: Can you make it germane to
16 this case?

17 MS. MOLDENHAUER: I was --

18 CHAIRPERSON HOOD: Okay.

19 MS. MOLDENHAUER: Did you testify or were you
20 participating in any way to articulate the desire of
21 arts in the zoning rewrite?

22 MS. MIMISH: I have talked to my council
23 member about affordable housing which can -- which
24 artists also need. Not particularly about art, no.

25 MS. MOLDENHAUER: Okay. Did you participate

1 at all in the Florida Area Market Program and --

2 MS. MIMISH: No.

3 MS. MOLDENHAUER: No. So you did not
4 participate and try to explain the desire to increase
5 the artist use in this area?

6 MS. MIMISH: No.

7 MS. MOLDENHAUER: I wrote down that you were
8 a DJ. I didn't get your name. I'm sorry.

9 MS. VONTRESS: Geena.

10 MS. MOLDENHAUER: Geena. Hi, Geena. Or good
11 evening, Geena, rather.

12 You say that you share space right now, or
13 you use a --

14 MS. VONTRESS: I do not rent a studio at
15 Union Arts. But I am able to use the Mousai House
16 space for events.

17 MS. MOLDENHAUER: So the concept of sharing
18 space is something that right now you are doing where
19 you come in and you use the space for a period of
20 time and you're sharing in the current existing space
21 that exists.

22 MS. VONTRESS: Yes.

23 MS. MOLDENHAUER: Thank you.

24 CHAIRPERSON HOOD: Okay. Mr. Otten, you have
25 any cross-examination?

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1 MR. OTTEN: First, did anybody fill out a
2 witness card? Did you fill out a witness card and
3 get it on the record? Okay.

4 Okay. Chris Otten for the record
5 representing 411 Artist Union. On the cross here,
6 Ms. Mimish, you were the creative economy in the
7 district, right, in your testimony?

8 MS. MIMISH: Yes, I was trying to point out
9 DMPED's efforts to promote that.

10 MR. OTTEN: And DMPED's efforts seem to have
11 wound up in a couple of city policy papers, or
12 reports.

13 MS. MIMISH: Yes, I think so.

14 MR. OTTEN: You testified to an action omic
15 incubator report.

16 MS. MIMISH: Right.

17 MR. OTTEN: And also a creative action agenda
18 report?

19 MS. MIMISH: Uh-huh.

20 MR. OTTEN: And those came out of DMPED.

21 MS. MIMISH: They did.

22 MR. OTTEN: And would you -- you said you did
23 not participate in the small area planning for this
24 area, for the area where the project is.

25 MS. MIMISH: No, I did not.

1 MR. OTTEN: But would you expect that city
2 policies and reports such as DMPED's reports to be
3 reflected and exhibited in these sort of planning
4 processes?

5 MS. MOLDENHAUER: Objection, leading.

6 MR. OTTEN: I'm asking her a direct question.
7 Would you expect that the reports you testified to
8 would be used to elaborate or drive some of the other
9 planning for the area?

10 CHAIRPERSON HOOD: I'm going to allow the
11 question. I'm going to allow that question.

12 MS. MIMISH: I think they should drive
13 planning, which is why I was pointing them out.
14 However, they do not, which is why I was calling out
15 OP.

16 CHAIRPERSON HOOD: Can I ask you a question?

17 MS. MIMISH: Yes.

18 CHAIRPERSON HOOD: What's the name of the
19 group you're with?

20 MS. MIMISH: D.C. for Reasonable Development.

21 CHAIRPERSON HOOD: And who heads that group
22 up?

23 MS. MIMISH: I'm sorry?

24 CHAIRPERSON HOOD: Who heads that group up?

25 MS. MIMISH: Who heads the group?

1 CHAIRPERSON HOOD: Uh-huh.

2 MS. MIMISH: It's --

3 CHAIRPERSON HOOD: Who is the leader of that
4 group?

5 MS. MIMISH: There's not a leader. There's a
6 co-facilitator and that's Chris Otten.

7 CHAIRPERSON HOOD: Oh, okay. Thank you. You
8 can continue.

9 MR. OTTEN: Is that germane to this?

10 CHAIRPERSON HOOD: It's germane to my
11 question.

12 MR. OTTEN: Okay.

13 CHAIRPERSON HOOD: It's very --

14 MR. OTTEN: So, Ms. Mimish, as a member of
15 D.C. for Reasonable Development seeking reasonable
16 development in the District of Columbia, are you
17 surprised that the Office of Planning reports make no
18 mention of any of the artists that are currently in
19 this property at 411 New York Avenue?

20 MS. MIMISH: Can you repeat the question?
21 I'm sorry.

22 MR. OTTEN: Are you surprised that the two
23 Office of Planning reports on the record in this case
24 make no mention of displacement of the artists
25 currently at the space?

1 MS. MIMISH: Not at all.

2 MR. OTTEN: You're not surprised by that?

3 MS. MIMISH: I mean, because of -- I do not
4 think Office of Planning is doing their job, nor do I
5 think that they care about displacement. It should
6 be part of the reports. But the way they operate,
7 I'm not surprised. But I do think it needs to
8 change.

9 MR. OTTEN: Appreciate that, thank you. Mr.
10 Nem. You said you're an artist at the space right
11 now?

12 MR. NEM: That's correct.

13 MR. OTTEN: You mentioned -- you really
14 definitively highlighted the difference between
15 creative workspace and gallery space, correct?

16 MR. NEM: Correct.

17 MR. OTTEN: And would you consider paintings
18 hanging on the walls of a restaurant or sculptures in
19 a garden, is that creative workspace?

20 MR. NEM: That's an exhibition space.

21 MR. OTTEN: That's an exhibition space.
22 Okay. You mention that Baywood Hotel next door, how
23 many -- did you mention the number of rooms in that?

24 MR. NEM: Last I saw was 216 rooms.

25 MR. OTTEN: Two hundred and sixteen rooms.

1 MR. NEM: But that was a year ago. Or the
2 article, the publication was a year old. To this.

3 MR. OTTEN: Okay. It's a significant amount
4 of -- would you say that's a significant amount of
5 rooms?

6 MR. NEM: I would, yeah.

7 MR. OTTEN: Is it a surprise to you to hear
8 that the Office of Planning reports do not take into
9 account the accumulative effects of having two hotels
10 just next to each other?

11 MR. NEM: I would be surprised.

12 MR. OTTEN: You would be surprised. Okay.
13 Thank you for that.

14 You're facing direct displacement with this
15 project, correct?

16 MR. NEM: Yes.

17 MR. OTTEN: And okay, I'll just leave it at
18 that. Thank you for your time here tonight.

19 I'm sorry, I missed your name.

20 MS. VONTRESS: Geena.

21 MR. OTTEN: Geena. You were really
22 concerned. I know you're not working there right
23 now, at 411. But you pointed out a concern about who
24 is controlling the space in this new project.

25 MS. VONTRESS: Yes.

1 MR. OTTEN: Do you understand who would
2 control the artist space in this project right now as
3 proposed?

4 MS. VONTRESS: I don't have a -- I would
5 have, only have an assumption. I wouldn't have a
6 direct answer.

7 MR. OTTEN: Okay. All right. Let me ask you
8 this, if you were told that the proposal includes a
9 juried sort of return of the artists, in other words,
10 a competition of the current artists to get back into
11 this new space, how would that -- how does that make
12 you feel?

13 MS. VONTRESS: Disappointed. Like I was
14 saying, that artists now, whether they're renting or
15 they are affiliated with the space, have direct
16 access to people that, you know, curate that space.
17 Like Gaje, or Lue or Desiree, or any of the other
18 people, and able to -- like for my own personal --
19 you know, be able to showcase films or be able to DJ.
20 Or, you know, be able to have an art show. You know,
21 have, you know, live paintings and things like that.
22 So I think it's important for, you know, independent
23 artists, especially, you know, budding artists. You
24 know, that was my first feature documentary. So, to
25 be able to have that space to be able to go to those

1 people and you know, an unknown artist to be able to
2 showcase their work for the first time and be
3 received, and not only that, to continue to be able
4 to go to that space and be received and openly be
5 received to be able to perform, I think is
6 invaluable.

7 And like I was saying with the hotel, I don't
8 believe that you know an application process. You
9 know, and I can't speak for all artists, but an
10 application process is like -- you know. So, with
11 this you know, you wouldn't have to have an
12 application process. You would just be able to go to
13 -- well, the current space. You know, you're just
14 able to go to those people and, you know, speak to
15 them and interact with them directly and build
16 connections and community.

17 MR. OTTEN: Thank you for that. Ms. Reis
18 Tomlin? No.

19 MS. POMEROY: I'm Jane, representing --

20 MR. OTTEN: Oh, that's right. Okay. That's
21 right. All right. Are you in the space right now?

22 MS. POMEROY: Yes.

23 MR. OTTEN: You're an artist?

24 MS. POMEROY: I share it with and I submitted
25 my statement as well. Yes, I share the space with

1 Carolyn.

2 MR. OTTEN: And say your name for the record.

3 I'm sorry.

4 MS. POMEROY: Jane Pomeroy.

5 MR. OTTEN: Jane Pomeroy. Okay. And --

6 MS. POMEROY: Well, it's two-thirds her
7 space. She -- we share a little bit of it.

8 MR. OTTEN: And do you rent your space?

9 MS. POMEROY: No. I help her with the moving
10 things around and stuff.

11 MR. OTTEN: Is that part of this organic --
12 we keep hearing organic nature of relationships there
13 in terms of it's not all financially based. It
14 sounds like you have a kind of a more of in-kind sort
15 of scenario where you're helping out --

16 MS. POMEROY: YES.

17 MR. OTTEN: -- in lieu of money. In lieu of
18 a financial --

19 MS. POMEROY: Yes. I mean, Carolyn works in
20 big projects that requires her to be up and down the
21 ladders and move things and stuff like that. So
22 we've been friends for a very long time. So I help
23 her. She has difficulty moving on the ladder, so.

24 MR. OTTEN: That's nice of you. How do you
25 feel --

1 MS. POMEROY: Well, I benefit from being part
2 of the Union Arts so I definitely benefit.

3 MR. OTTEN: Right on. How is it -- how does
4 it feel being told you have to be out by September
5 1st of this year?

6 MS. POMEROY: I feel very sad because you
7 know, in the bit of time that I've been there, and
8 I've really been impressed with the integrity and the
9 collaborative -- the integrity of the artists and
10 their commitment to the arts and their commitment to
11 Washington, D.C. And as a visual artist I've never
12 really had the opportunity to work alongside of
13 musicians. And I have to say that when I've come in
14 and I've heard the music going on and the caliber of
15 music that's happening, it really has changed, you
16 know, my -- I feel like it's improved my devotion and
17 my work as well. And I really appreciate, I really
18 appreciate the integrity that they bring to the
19 process. And I feel very sad that that -- yes, she's
20 you know, she's definitely going to find another
21 space somewhere. Carolyn is trying to find another
22 space at her age with her size of projects.

23 But this disbursement of talent and energy
24 and youth that have come together here, that it is
25 really sad. And I'll deeply miss getting to witness

1 it.

2 MR. OTTEN: Thank you. Do you happen to know
3 me? Have you known me before this zoning case
4 tonight? Have we met before?

5 MS. POMEROY: Not that I know of.

6 MR. OTTEN: Okay. We're all building
7 relationships.

8 MS. POMEROY: Okay.

9 MR. OTTEN: But to the talent and creativity,
10 Mr. Ridler, you mentioned we're connecting -- we're
11 at this cross-roads. This space, to you, the
12 displacement, you said, was dehumanizing?

13 MR. RIDLER: Yes, that's correct. It's very
14 emotionally upsetting. I'm sensitive. I'm an
15 artist. Artists are sensitive. I see a lot. I
16 don't even know how to talk about a lot of it but
17 it's so upsetting. It's like we're -- are we even
18 human anymore? Like it's really that upsetting.

19 MR. OTTEN: Right. But you were talking
20 about a community there. Is that what makes this
21 space different than what's maybe being proposed?

22 MR. RIDLER: Yeah. A very rich community and
23 it's the diversity in a human that comes out through
24 art and culture. Like these are relationships as
25 well as expressing energy. You know, they're major

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1 cross roads of major cross roads. Like, I'll just
2 add another issue, just what other things. How is
3 that not even associated? Everything is related.

4 MR. OTTEN: Okay. The art, I didn't see your
5 art tonight that you passed in to the record. It's
6 intriguing. Is this -- how does this relate, would
7 you say, this art piece? You brought this
8 specifically for tonight, right? How does this
9 relate to land use planning?

10 MR. RIDLER: Well, this profit over people,
11 profit over everything. What it seems like there is
12 no level of moderating the development. It's just in
13 the past three years I've seen so much in D.C. that I
14 hardly recognize where I am. I get lost. I'm like,
15 I didn't even know this building was here, and it
16 happened so fast. And it's that kind of like -- like
17 I remember there was a nice restaurant, a nice mom
18 and pop store, and now like a lot of things are
19 changing and like that is gone forever. And you
20 know, we're using this space as an evolving space.
21 You know, like, you know creativity is. We're
22 evolving and we're just going with the punches I
23 guess because artists are being attacked. Like are
24 under attack with gentrification displacement.

25 And this is something that's happening all

1 over. We're hearing that from a lot of the low class
2 and income and it's like artists are that. We are
3 poor. Like we can't afford -- you know, it's not
4 like the government is handing us, you know, ability
5 to have a show. They have the Kennedy Center.
6 They're catering towards high-end class art. That is
7 acceptable in what? You know, like who are these
8 people making these decisions? There's a lack of
9 what is art and you know, when you see it and you
10 feel it, you're attracted to it and that's why it
11 speaks volumes in --

12 MR. OTTEN: Well, I was just asking you
13 specifically about the one painting you put on the
14 record tonight.

15 MR. RIDLER: Uh-huh.

16 MR. OTTEN: How does that relate to land use
17 planning? Why did you submit that tonight?

18 MR. RIDLER: Because it's not a game when
19 your life is on the line and you know, everybody
20 remembers the game Tetris and build these cities in
21 blocks and build it until, like, you know, the cranes
22 are moving the Tetris pieces around until like, what
23 kind of city is that? It's a toxic city. It doesn't
24 have anything but this height, monolithic eeriness,
25 you know, Gotham eeriness and like where is the

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1 nature in us? You know, we were tree people at one
2 time. You know, we breath this symbioses
3 relationship with oxygen. I honor that relationship.
4 You know, we have tree spirit paver right in front of
5 us. It's like, these things are real entities and we
6 are just like thinking, oh, we're just so shallow and
7 not --

8 MR. OTTEN: Thank you. Thank you.

9 MR. RIDLER: -- embracing it. And so like --

10 MR. OTTEN: I appreciate it.

11 MR. RIDLER: -- the tree is relevant to the
12 falling into the city. It's the last tree. That
13 building is the last tree. It is the colorful
14 building in the city. If buildings were trees. You
15 want to chop the most motherly tree in the forest
16 down? That affects the muses of an entire forest.
17 If you know anything about trees. When you chop down
18 a mother tree that is producing and it has sacks of
19 energy underground that distribute this knowledge
20 throughout the network of trees. On the edge of a
21 forest the tree that gets sick knows about it at the
22 other end of the forest. They help each other.
23 That's community. It's ecosystem. We're a strong
24 colorful ecosystem.

25 And we represent the art of D.C, which is a

1 lot of history from go-go to jazz to punk to other
2 eras of -- and not just music, movements in art.

3 MR. OTTEN: Thank you for that, Mr. Ridler.
4 I appreciate that.

5 Mr. Jackson, you said you were a student at
6 Union Arts.

7 MR. JACKSON: Yes.

8 MR. OTTEN: What are you studying there?

9 MR. JACKSON: Well, Gaje teaches audio
10 engineering. He teaches guitar, he teaches
11 everything.

12 MR. OTTEN: Right on. In the spaces that are
13 -- have you seen some of the proposed spaces for the
14 proposal that's before the Commission?

15 MR. JACKSON: Glanced but not --

16 MR. OTTEN: Okay. You mentioned future
17 thinkers. What did we mean by that? What did you
18 mean by that?

19 MR. JACKSON: Well, I meant if we take away -
20 - he kind of mentioned it a little bit when he said
21 cutting off the tree. You have to understand the
22 nature of this community that's here that's organic.
23 Like I actually love, I love Mousai. When I first
24 came there I used to tell Gaje every time I saw him,
25 I love this place, I love this place, I love this

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1 place, I love this place, I love this place. So the
2 future that I'm talking about is, you take away
3 Mousai you don't realize how important and how
4 crucial this place is. It's unique. Unique, unique,
5 unique, unique, unique. And if you guys don't take
6 an action and stop all these people have -- some of
7 the people before me have said, you know, this trend
8 of you know, they were displaced, these people were
9 displaced, these people were displaced. It's a trend
10 and future thinking means, hey, you have a chance
11 right now to stop, to actually put some faith and say
12 hey, you know, what, we are a government of the
13 people.

14 That's what I was saying about the voice. We
15 are a voice. If you let this happen what you're
16 saying is, you know what, we don't count. It's the
17 money that counts. It's the money that counts. So
18 that's the future. That's the image that's going to
19 be here. It's not going to be art. It's going to be
20 just, you know, nothing. It's not going to be
21 anything. If you don't have art you don't have
22 anything. You really don't. You have no substance.

23 MR. OTTEN: Appreciate that. I guess, how
24 many students are you, you know, is in a typical
25 class that you're rolling with through Mousai House?

1 MR. JACKSON: That's again, you're going back
2 to a little bit of the organic nature.

3 MR. OTTEN: Yes.

4 MR. JACKSON: In a sense, we're all students.

5 MR. OTTEN: True.

6 MR. JACKSON: No, I mean --

7 MR. OTTEN: It's true.

8 MR. JACKSON: -- it's not even thinking
9 poetically or anything. We're all students. Every
10 time we go there I think that we all take something
11 from it. So there are people who are learning visual
12 arts, they're learning how to do videos, they're
13 learning how to do production, they're learning how
14 to play instruments, they're learning how to get
15 involved with the community, because you know, right
16 now we're just talking about oh, displacement,
17 displacement this, but you don't understand all the
18 things that are involved community wise with the
19 Union Arts. So.

20 MR. OTTEN: I appreciate that. Thank you.
21 Ms. Bloom, you were saying that you did receive a
22 list of alternative spaces from the applicant that
23 maybe you can move to, right?

24 MS. BLOOM: Well, I saw the list. A lot of
25 them are full. In the latest list there were a

1 couple I didn't know about.

2 MR. OTTEN: Okay.

3 MS. BLOOM: So, I don't know about them. And
4 I've been sending out queries to warehouse owners,
5 and maybe have a couple little nibbles for a little
6 space. But there's not much out there and so, I'm
7 not that hopeful about staying in D.C.

8 MR. OTTEN: That's too bad. Well, besides
9 giving you a list how else has the applicant assisted
10 you in this alternative space.

11 MS. BLOOM: Oh, no. No. I just saw a list,
12 yeah. That's the extent.

13 MR. OTTEN: Okay. I wanted to get clarity on
14 that. How long did you say you were in the building?

15 MS. BLOOM: Nine years.

16 MR. OTTEN: Nine years now. Okay. How is
17 this making you feel, the threatened displacement?
18 Being told, you have to be out September 1st, for
19 example?

20 MS. BLOOM: Well, I mean, it doesn't feel
21 good. I mean --

22 MR. OTTEN: Yeah. Okay.

23 MS. COHEN: I think this is a common question
24 that you --

25 MR. OTTEN: Thank you.

1 MS. COHEN: -- keep asking and we know
2 everybody is feeling terrible. They've said it in
3 their testimony. So I just want --

4 MR. OTTEN: I don't know that. Some people
5 may --

6 MS. COHEN: I've heard it. So I don't know
7 why you don't hear it. I mean, I know everybody is
8 in great deal of angst. And so I just want to try to
9 keep this going because there are so many more people
10 that want to testify.

11 MR. OTTEN: Are you disappointed that the
12 city, Office of Planning and other officials in the
13 District of Columbia have not directly -- let me ask
14 you this. Has the city, being a nine year creative
15 resident of this site, has the city, are you aware of
16 the city offering any assistance or any way to avoid
17 the displacement that's being projected your way?

18 MS. MOLDENHAUER: Objection, beyond the scope
19 of the initial statements.

20 MR. OTTEN: No, she spoke to getting
21 assistance. I'm asking her about the assistance in
22 the displacement.

23 CHAIRPERSON HOOD: Yes or no? Yes or no?

24 MS. BLOOM: Now I've forgotten the question.

25 MR. OTTEN: Has the city offered --

1 MS. BLOOM: Am I aware -- have I been helped?

2 MR. OTTEN: Yeah, are you aware of the city
3 stepping up?

4 MS. BLOOM: No.

5 MR. OTTEN: Okay. Thank you.

6 CHAIRPERSON HOOD: Mr. Otten, how many
7 questions do you have?

8 MR. OTTEN: I've just -- let's see. I think
9 that's it.

10 CHAIRPERSON HOOD: Okay.

11 MR. OTTEN: Yeah.

12 CHAIRPERSON HOOD: Thank you very much. We
13 appreciate everyone's testimony. Thank you for
14 coming down.

15 Okay. Let me see a show of hands. Okay.
16 The young lady in the back, I know you were one --
17 bring the other two that were with you in the back.
18 The gentleman is standing up, and this side over
19 here, the two in the back and the two up front, come
20 forward.

21 Okay. Let's start with the young lady to my
22 right, your left. You may begin.

23 MS. LEPPIN: Good evening, I'm Janel Leppin.
24 Longtime resident of D.C. I am aware of the
25 performing arts space. I just want to make that

1 clear. And also the performing or the recording or
2 whatever is going to happen in the basement for
3 musicians.

4 I'm a musician. It's 28 years now that I've
5 been playing the cello. I tour internationally.
6 D.C. is my home. I'm happy to be here.

7 However, in this proposal we're losing a very
8 important performing arts space because the
9 programming is very special. We won't find another
10 performing art space like this, period. They're
11 gone.

12 Sonic Circuits has lost Pyramid Atlantic this
13 year in Silver Spring. You may be aware, I don't
14 know. But this is the kind of music that's of the
15 nonentertainment genre. Okay. What that means is
16 it's not acoustic guitars. It's not like sing-along
17 pop music. It's not going to be programmed by
18 Cultural D.C. in my opinion.

19 I also have to draw attention to the fact
20 that I oppose it specifically because there are no
21 details about how ticket sales will be dealt with.
22 And there are no venues in D.C. anymore, except for
23 Bohemian Caverns. Like if 100 percent of ticket
24 sales to musicians. And I have to say that touring
25 as a musician sucks. It's awful. You work so hard

1 and then you perform and people are like, oh, that
2 was great. And then they don't buy your album.

3 And then the venue steals all the money. So
4 I'm very curious how do you want to handle sales
5 because we really need that money. Those tour
6 musicians really need that money. And I am called,
7 and my husband, Anthony Curog (phonetic) is called on
8 the regular to Union Arts to bring people there and
9 to draw attention to this nonentertainment performing
10 arts venue. Okay? It's very special.

11 There was a benefit on Friday because there
12 is a lot of struggle that we're trying to meet as a
13 community. I can't believe the group of people who
14 showed up. This is an active community. This is a
15 vocal community. This is a beautiful community. And
16 like, I really love seeing it, everybody come
17 together. And respect to you guys, you know, for
18 trying to do something but there are a lot of details
19 that we really need to know about. And this is a
20 critical one because D.C. is a hub of music, Duke
21 Ellington. I mean, I'm not even going to go through
22 the list. If you don't know then you don't belong
23 here.

24 CHAIRPERSON HOOD: Next.

25 MR. CASTLE: Good evening to the panel. My

1 name is Cory Castle. D.C. resident. I reside in
2 Ward 8. In Anacostia. Also a member of Mousai House
3 located at 411. I'm a DJ? Social worker fulltime
4 but I'm a DJ. I'd like it to be my fulltime
5 occupation but Mousai give me a platform -- sorry.
6 Mousai gave me a platform to enhance my skills which
7 later led to me actually being able to work in an
8 actual lounge and restaurant. So I'm living proof
9 that this venue has lifted me up and put me in a
10 place where I can showcase my skills for the public.
11 And now I'm opening, I'm doing different gigs around
12 the city just from meeting people and Mousai arts.
13 So I'm living testament to that and I can speak to
14 that.

15 So I definitely want to speak to that. And
16 two more things real quickly, I know Geena spoke
17 about direct access and that's very important. I
18 also wanted to speak about community. And one thing
19 I wanted to stress is, Mousai House, we are a
20 community here but we're also part of a larger
21 community. And there are a lot of people who come to
22 our venue who aren't -- who are often neglected. Who
23 aren't necessarily your quote/unquote, acceptable the
24 people we go about, and you just shake hands with
25 every day. A lot of these people aren't. They

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1 aren't part of a large society. Some of these people
2 are homeless. Some of these people live on the
3 streets. I met them myself. A lot of the homeless
4 men I see coming in and out of that venue.

5 So will these people be welcome once the new
6 venue is -- once the venue is renovated or all the
7 changes takes place. Will they be welcome? Because
8 this is a place now where they feel welcome, they can
9 come, they can enjoy, meet different artists,
10 entertain. So I've met a lot of people who lived on
11 the streets and who like coming to 411 period.

12 I work with Desiree and I've met men who
13 lived on the streets who have come there. And I DG
14 there and they've met me and I've talked with I've
15 talked with them, just hearing their stories and
16 stuff like that. So I want to stress the importance
17 of 411 arts and the larger community that we're a
18 part of, who sort of depend on us and thrive off of
19 the things that we, you know, that we have going on.

20 And with the relationships with the direct
21 access. Want to go to Gaje and I want to talk to
22 him about, hey, I want to do this event. I want to
23 go to Diore. I want to go to Desiree and talk to
24 them about ideas for different events. I don't want
25 to have to go through anybody else. This is my

1 family. These are the people I want to deal directly
2 with. I don't want to have to go to a third party
3 and ask permission and applications and things of
4 that nature. So that's important. But that's my
5 time. I'm done. Thank you.

6 MR. JONES: Hi. My name is Gaje Jones and I
7 started Mousai House. My background, I went to
8 Howard University for architecture. I did that for
9 10 years, and then decided to start teaching music
10 lessons out of my living room when I got home from a
11 60 hour work week. That turned into, I don't want to
12 go into work anymore, let me do this fulltime. And
13 that's how Mousai got started.

14 I met Luke Stewart about two years ago and
15 that's when I moved into this building. Like I said,
16 my background is architecture. I'm actually part of
17 the tight group that's been in direct communication
18 with the developers.

19 I'm, at this point, still opposing the plan.
20 And the reason is, is because when we are talking to
21 the rest of the people in the building, we're not
22 given enough time before we have to come back to this
23 hearing and present to you guys our opinion on it. I
24 believe that more time is needed.

25 Case and point, they added particular space

1 within the basement for recording studios. Now,
2 obviously the main thing I do is music. But I
3 definitely also teach audio production, video
4 production, graphic design, web design, architecture,
5 interior design, and give people jobs out of that.
6 So when it comes to the studios in the basement they
7 put in four studios for recording but didn't actually
8 put in control rooms.

9 And I don't know if anyone here is an audio
10 engineer, but you can't record unless you have a
11 control room. So things like that still need to be
12 worked out. I'm really thankful for the opportunity
13 to work with developers that actually want to include
14 the arts. But time is needed and you can't do this
15 in just week to week to week meetings and then okay,
16 let's go back to the zoning hearing and see what
17 everyone has to say. We can't even communicate with
18 everyone in the building to let them know what's
19 going on from Friday until Tuesday.

20 So the fact that we have to sit here in front
21 of you guys and say, do we all agree with this plan
22 or do we oppose it, it's, for me, it's kind of
23 laughable. This time should be taken properly.

24 Now I started Mousai a while ago but I feel
25 rushed now to complete something to work with these

1 developers. We're talking to present a business plan
2 and a model with financial and market research in a
3 one week period so that we can come to some type of
4 agreement. That's now how you collaborate.

5 I've got 20 more seconds. Like I said, my
6 background is architecture. I am a entrepreneur, I'm
7 a freelancer, I'm part of the freelance community,
8 and I believe that D.C. has not taken into account
9 that by 2020 the freelance community is going to be a
10 large community. And co-working space for artists is
11 going to be especially valuable.

12 JALILA: Hello. My name is Jalila. I am a
13 vocalist and art model and I've been a part of the
14 Mousai Young Artist Coalition for about three and
15 half, four years now.

16 So just to kind of voice my opinion on this,
17 my dismay for the replacing of the building, when a
18 community of people who share the same passion
19 collectively come together and bring forth, they're
20 going to bring forth social change. And we have
21 developed a voice in this arts community that drives
22 us towards opportunity with havens like this that
23 provide us services and resources that we need to do
24 the things that we really want to pursue as our
25 careers.

1 Now I know a lot of what I may say is
2 redundant, but if it's redundant it's because it's
3 the one message that we want everyone to understand
4 finally, and it's not so many ways that it can be
5 put. So it's going to be said again and again until
6 it's understood. Not just understood but very well
7 acknowledged that this is something that we're all
8 extremely passionate about.

9 And our mission isn't just about making a
10 living in the arts. It's much bigger than that. The
11 mission is to bind together the organic ideas and
12 profit from what is passionate rather than what's
13 practical, which is what a lot of people in my
14 generation have been taught. You know, go to school,
15 go to college, get a degree, do what's practical,
16 then do what's passionate later. But then you find
17 that trying to do what's passionate isn't within a
18 easy reach as it was when we were 18 or 19 years old
19 and we finally have this haven to provide us
20 everything that we needed or wanted that wasn't
21 provided before. And that can really set a solid
22 platform and foundation of that.

23 So by helping each other with our respective
24 passions in the arts, we can bring forth more
25 opportunity on our own. And with the events

1 happening at Union Arts D.C., and through the Mousai
2 Young Artist Coalition, this can increase clientele,
3 since we all want to talk about money. And by
4 increasing your clienteles held by these specific
5 events, like maybe a music event or an art event that
6 can then in turn to create art classes or music
7 classes, which is already happening. And it's a
8 growing process.

9 And for -- and this will help artists then be
10 able to better -- or find more ways, monetary ways,
11 that can help them keep their spaces and provide them
12 with the resources that they need and say hear from
13 their communities, and hear it straight from their
14 mouths to understand what's needed from these artists
15 who like to cook, or these artists who are into doing
16 DJing, or those who like to do art modeling, or to
17 draw, or to sing, or to rap. These things are a part
18 of the curriculum that will build us towards what it
19 is that we really need. And so, that's my piece.

20 MS. VISRAEL: Good evening. My name is
21 Ralhel Visrael. I am a representative of Mousai
22 House, Young Artist Collective. We are located
23 inside the Union Arts building and I'm one of the
24 resident chefs there, vegan chefs. We provide a
25 service where we provide healthy holistic foods for

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1 the community to people who come to our artist
2 studio.

3 I feel like it is important to have an
4 institution like Mousai House because it's not just a
5 place for artists who perform, it's a place where
6 artists of the tender ages of 19 through 25 even to
7 40, 45 come there and share an experience of
8 creativity and art.

9 It's also a place where we have young
10 artists, and if it wasn't for our studio they
11 wouldn't be introduced to another way of life or even
12 tap into their creativity. So it's more -- what I'm
13 saying, it's more than just a place for performances
14 such as Bins Next Door or Bohemian Caverns. It's
15 more than that, it's a place where people get
16 developed, their spirit gets developed into being a
17 creative -- being a creator.

18 Even one of the mottos for Mousai House is,
19 every artist was a amateur at one point. So if we
20 never had these type of venues then there would be no
21 creativity.

22 I also wanted to say, as a native
23 Washingtonian I grew up around spaces such as Capitol
24 City Records, Duke Ellington, and it's very -- that
25 shaped me. You know, I grew up in a space where if

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1 it wasn't for those spaces then I wouldn't have known
2 about those places. Even African dance studios in
3 Washington, D.C. which aren't -- we have maybe like
4 one left, because of displacements. You know, what
5 I'm saying. Developers have built in those places as
6 well.

7 So my stance is I'm opposed to the developing
8 of the hotel because we have plenty of hotels in
9 Washington, D.C. We don't need any more of those. I
10 personally don't know of a space such as Union Arts,
11 such as Mousai House that actually develops people.
12 It's an institution. Institutions are important to
13 develop people, to create opportunities for
14 entrepreneurs, so I hope that you hear our stance and
15 that the energy was received. Thank you.

16 MS. DIOR-BROWN: I am a native, graduate of
17 Duke Ellington School of the Arts and University of
18 Maryland Arts programs. MC Actor Poet holds the
19 dopest BYOB jam at Mousai House at Union Arts.
20 Public relations manager at the Mousai House at Union
21 Arts, mentor for at risk for D.C. youth community
22 activist creative entrepreneur, now a possible
23 reoccurring victim of gentrification, artist
24 displacement, unemployment. And as you can see, I am
25 a product of my city.

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1 I am a fulltime thriving artist in the D.C.
2 Metropolitan area and I'm attempting to function and
3 hold fast to the culture that is left in the 30-year
4 old historical site that is now the Arts Union
5 building, as I am a curator and attempting to hold to
6 the culture that is left, building and supporting the
7 community in which I value, which is now being
8 displaced.

9 I am here to speak on Case 15-19. Mousai
10 House, for which I am representing, is a haven for
11 underground artistry. Taking away our space takes
12 away our haven, dysfunctions our progressively
13 growing community, and dismantles our economic growth
14 as we are working to become a staple for demanding
15 community of artisans and audience.

16 Myself and my team support develop, manage,
17 curate, cultivate, the careers of 80 or more artists
18 within the Mousai House Arts Collective. One of the
19 myriad of things I love about my collective is that
20 we have made the minimal space that we have now a
21 haven for 80 plus artists. A haven. A haven
22 represents a need, a safe place, a home.

23 This haven includes MCs, visual artists,
24 vocalists, musicians, poets, DJs, dancers, speakers,
25 technicians, producers, architects, who experience an

1 extended period of unemployment due to this possible
2 displacement. Unfortunately some application
3 processes like the develops arts groups are
4 introducing include high fees and processes where one
5 would need to take a loan, show applicable
6 credentials. Most artists don't receive paystubs and
7 so it becomes much like trying to vote in the 1950s.
8 We build artistic entrepreneurs, giving them space to
9 rehearse, create, and network at an extremely
10 affordable cost.

11 Unfortunately, this type of space is not
12 marketed to my communities, so when persons of my
13 similar background, who are minorities, see me as a
14 pioneer for this type of minority owned business, or
15 see that a space like Mousai House exists, they have
16 what is called the Mousai shock. Literal disbelief.

17 I think it was most necessary for the
18 developers to involve themselves actively to see what
19 currently works, what currently exists, and how they
20 can develop that. I represent a need. I am
21 currently building a collective that is home to about
22 80 or more artists and 3,000 square feet who can't
23 afford \$500 a month for a coffee table space. We are
24 an affordable space. We are a culture, a community,
25 there is a need.

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1 We are not only an event or working space for
2 150 more artists, but we are a holistic center that
3 gives audiences of all kinds, especially those native
4 to D.C., a space for relief in the ever changing high
5 cost displacing environment. A place -- thank you.

6 CHAIRPERSON HOOD: Thank you.

7 MR. MAZZAFERRO: Hello. My name is James
8 Mazzaferro. I've been living in D.C. for nine years
9 and I've been a member of the 2C Studio for seven
10 years. At that time it was four artists and one of
11 them was getting into wood working. I'm a wood
12 worker. I was an architect before then. I wanted to
13 start my own business.

14 I've been through -- my only other option is
15 a carriage house, 200 square feet. My dream was and
16 has been moving towards creating a true factory,
17 product development and employing people in D.C.,
18 training them and giving real opportunities outside
19 of just ordinary office environment.

20 I can't really testify a lot on arts because
21 that's not what I know about. But I can say that
22 before I was a member of the studio there was a group
23 called Art D.C. That was like their incubator and
24 they now have a group in Hyattsville. It's a
25 gallery. They also have spaces for artists there.

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1 Several other artists. There have been
2 others who have come through the space and gone on to
3 other things; gone back to school, started teaching.
4 Myself, I ran a cabinet making business for five
5 years there, and since joined a larger team and we've
6 been building an even larger shop in Deanwood and we
7 just opened up a furniture store in Capitol Hill.

8 So, let's see, as I said, I can't really
9 testify about the arts except that I mean, the
10 building is so unique, I always assume that there
11 must be another building like it in D.C. But over
12 seven years, I mean, there's only one building that I
13 can think of that is, and that's 52 O Street. And
14 that's gotten a lot more commercial over the years.

15 The affordability of this building was
16 critical for me as a business owner. I was able to
17 take a lot of really stupid business risks, like
18 always doing things the hard way, trying to learn
19 more. It's paid off big, and I don't know, leading
20 up to in the earlier days there were individual
21 artists and they had some smaller communities. Since
22 Mike Abrams joined the building and kind of led to
23 all the music, Luke, Gaje, later Desiree, and 2B
24 Studios, which was created by a different group,
25 they've just brought this incredible culture, a ton

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1 of different people. They're not really doing it for
2 money. I don't see how they're making money. Just,
3 they must work 12 or 16 hours a day. So.

4 I mean, if there's some way to make another
5 space available.

6 CHAIRPERSON HOOD: Okay. Thank you. Next.

7 MR. JONES: Hello. My name is Jamal Jones
8 and I'll give my qualifiers later. I'll just jump
9 right into it.

10 My position simply lies in the fact that the
11 proposed plans uprooting a place that is already a
12 designated artistic space. This really wouldn't be
13 an issue if we were allowed to just stay in the place
14 where we already have established what most have
15 already been suggested. There's already an
16 internship program in place. I personally mentor two
17 kids who come in to learn not only engineering, but
18 also staging, performance art, marketing, and to an
19 extent, hospitality, which is in the original
20 proposal, in which case we already have an in-house
21 chef to our left, and we have a mixologist in the
22 audience who came and gone and even another service
23 who have come and gone.

24 If the investor would like to meet with us
25 and actually expand on what we already have

1 established, that would be great. Just don't evict
2 us.

3 In terms of the artist's spaces, yes, there
4 are studios in this new proposed space, but that is
5 limiting in its own way because again, as Diore to my
6 left mentioned, we already have made so much for 80
7 artists with only one space and are one office. And
8 we're not even including the entirety of the artists
9 that have come through. We're talking about just the
10 Mousai collective.

11 And if we have all these eight -- I don't
12 even know how many studios are in the proposed space,
13 but if we're all fighting for time we can't serve
14 nearly as many, and that seems illogical.

15 Another member mentioned that there is a
16 difference between exhibit space, creation space, and
17 education space. So far, with all the updates
18 proposed, we've already made a space for all that as
19 is. We already teach. We already exhibit. We
20 already create. So why recreate a whole new building
21 to do what's already been done. Why evict us when
22 you simply need what's already there?

23 And so far there have only been two meetings
24 to really expand on what we've already been doing.
25 So I personally think it's incredibly illogical for

1 you to expect us to have coordinated over, I don't
2 know how many different people have come in in the
3 last two meetings, to coordinate not only over the
4 most recent proposals, but also past proposals. Like
5 I spent the last two hours reading all the updates.
6 And I am not even finished. I've really been
7 scouring every single update up until the 19th, which
8 is when I saw the latest addendum. And even then I
9 haven't had the chance to read that.

10 And this is not me working as a fulltime
11 person. And I know many artists who do not only
12 fulltime work but also have kids, that also have
13 their own commitments, they also have their own
14 lives. So take those individual complicated lives
15 and then try and coordinate all of them to make a
16 stand-alone statement in this type of hearing is
17 nonsensical in my opinion.

18 So to close off I would simply say that my
19 name is Jamal Jones. I'm currently a private career
20 life coach and consultant. I am also, however, the
21 son of two educators. I am a mentor, some
22 instructor, a behavior mentor, a tutor for kids at
23 risk in Wards 7 and 8, I'm a researcher at
24 Georgetown, I'm a graduate of Howard University. I'm
25 an apprentice and volunteer coordinator at Mousai

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1 Arts Collective at 411. And I am an educator, first
2 and foremost. There is already space for education
3 within 411. Do not uproot it to try and change it.
4 Thank you.

5 CHAIRPERSON HOOD: Okay. Thank you. Thank
6 everyone for their testimony. Let's see, any
7 questions up here?

8 [No audible response.]

9 CHAIRPERSON HOOD: Okay. Does the applicant
10 have any questions? Ms. Moldenhauer?

11 And let me see how we're looking while she's
12 coming forward, to my right, how many people left to
13 testify. Okay. I see one person that I can see. So
14 we have two, three, four. I asked earlier. I know
15 it's more seating so if you could come out so I can
16 kind of get arranged because if not I'm going to take
17 the last people who are here, we're going to just
18 take your names and those are going to be the only
19 people that's going to testify on the 16th if we get
20 to that point. So that's why I need to see you. I
21 need to see you.

22 Now, this side, how many do we have? Four on
23 this side and four on that side. It seems like
24 that's eight and we're going to end on that. Okay?
25 That way we will be able to get everybody in and we

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1 will not have --

2 [Pause.]

3 CHAIRPERSON HOOD: All right. My colleagues
4 have endured enough. We're going to hear from this
5 last, after we get through the cross. And I think
6 we're going to cut it off. It's too late for me to
7 get hit in the face. So. I want those eight people
8 to come up and give Ms. Schellin your name. And I'm
9 going to have to ask you all to come back.

10 And a lot of this, I think, is going to be
11 depending upon the cross-examination. I wanted to
12 try to finish, but those eight come up and give Ms.
13 Schellin your name. That's going to be it for
14 witnesses. Individual witnesses, that's it. We're
15 going to hear from the Office of Planning, DDOT, any
16 other government reports, the party in opposition,
17 rebuttal by the -- I mean, I'm sorry, we're going to
18 have rebuttal and closing by the applicant, and if
19 possible, maybe cross and rebuttal. That's going to
20 be it. Okay?

21 So just note, the eight people that sign up,
22 that's it. We all on the same page? Okay. All
23 right. You have cross?

24 MS. MOLDENHAUER: Mr. Castle, is that
25 correct? I'm sorry. You said that you were

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1 concerned, and I'm paraphrasing here, about having to
2 go through somebody else to try and, I guess,
3 identify programming or classroom space. Is that
4 correct?

5 MR. CASTLE: Doing events.

6 MS. MOLDENHAUER: Doing events. Okay.

7 MR. CASTLE: Yeah, I do events. Yeah.

8 MS. MOLDENHAUER: And have you been informed
9 by other members of your group or other members of
10 the mosaic that the applicant has offered -- I'm
11 sorry, Mousai, for this group to self-organize and
12 self-coordinate the third floor and coordinate
13 whatever programs they wanted through an organic
14 organization that was created by the artists?

15 MR. CASTLE: I haven't, but I -- I haven't
16 but I think my point in saying that is, no
17 disrespect, but the way that we have it set up -- the
18 way that we have it set up now is me going to -- I'll
19 use Gaje as a -- me going to Gaje and asking, can I
20 do an event. Yeah, that is organic but we do an
21 event, I get the date, we set it up, that's it. We
22 don't have to do too much of -- if the space is
23 redone, if the space is redone, if the building is
24 redone, I want the community that we're a part of,
25 the people that do come to my events, that do come to

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1 our events that we throw on, I want them to continue
2 to come and continue to be a part of what we're
3 doing.

4 So that's my larger concern, but I'm not
5 aware of the question that you asked. No. No,
6 ma'am.

7 MS. MOLDENHAUER: I know it's late so I hate
8 to kind of ask a really broad question, but why do
9 you think that that amazing vision and power that's
10 being voiced here would not exist or continue to
11 exist? If the artists were given the third floor to
12 kind of co-exist and coordinate and have new
13 opportunities in the hotel.

14 MR. CASTLE: I think when there is change
15 sometimes, from what I've seen, this is my own work
16 experience. When there's change sometimes people
17 don't feel welcome. And there's some people that
18 come and that feel a part of it -- I'm not even
19 talking about the artists, people who perform, people
20 who just want to come and enjoy it. They don't feel
21 welcome in new spaces. It has to be welcoming you
22 from the front door to up to the studio where we are.
23 It has to be built and created in a way where they
24 feel welcome.

25 Some people are alienated. They don't, you

1 know, some people don't go out to clubs on U Street,
2 some people don't go to Adams Morgan. They can't
3 afford it and also they just don't feel welcome in
4 those spaces. So that's my larger concern. And the
5 way it is, the way what we have built now, these
6 people feel a part and they come. You know, they
7 come on Tuesday nights, they come on Saturdays when
8 we throw events. So just speaking for my own -- what
9 I've seen. But yeah.

10 MS. MOLDENHAUER: And do you believe that
11 this, the group that you're a part of would have the
12 vision to be able to collectively put together a
13 concept that would make a third floor concept
14 welcome?

15 MR. CASTLE: I'm sure between all of us we
16 could come together and make a concept that's
17 welcome. I guess again, my point is from what we
18 have now and what's been built by Gaje and others,
19 even when I came in, it's a space that welcomes
20 people who aren't often a part of the larger D.C.
21 society. They don't feel welcome in a lot of other
22 spaces.

23 Could we do it? Yeah, absolutely. I'm sure
24 the brain power to do it. But the way it is set up
25 now, these people come in and they feel valued and

1 they feel like, you know, hey, this is a place I can
2 come and relax. But that's just my answer to the
3 question. Yeah.

4 MS. MOLDENHAUER: The gentleman who was the
5 wood worker, with 2C Studios. I'm sorry, I didn't
6 get your name.

7 MR. MAZZAFERRO: James.

8 MS. MOLDENHAUER: James. Hi, James. You
9 indicated that you -- how long have you been in the
10 building for?

11 MR. MAZZAFERRO: Seven years.

12 MS. MOLDENHAUER: Seven years. Okay. So you
13 were in the building when the prior owner, Gail,
14 owned the property?

15 MR. MAZZAFERRO: Yes.

16 MS. MOLDENHAUER: Can you --

17 MR. MAZZAFERRO: Yes.

18 MS. MOLDENHAUER: And were you aware -- when
19 did you first become aware that the building was for
20 sale?

21 MR. MAZZAFERRO: That's hard to say. Their
22 parents owned it from the mid '70s, and so --

23 MS. MOLDENHAUER: Would you say it was
24 possibly around 2013 when a big for sale sign went
25 up? Do you remember that?

1 MR. MAZZAFERRO: I don't remember.

2 MS. MOLDENHAUER: You don't. And do you have
3 any insight at to, you know, why Gail or her family
4 sold the building? Have you followed any of the
5 articles that were published or information on that?

6 MR. MAZZAFERRO: I think they sold the
7 building because they weren't going to run the
8 business out of there forever.

9 MS. MOLDENHAUER: Or was it because they
10 couldn't afford their --

11 MR. OTTEN: This is a leading question.

12 MS. MOLDENHAUER: -- the property taxes or
13 anything to that affect.

14 MR. OTTEN: Object. It's a leading question.

15 CHAIRPERSON HOOD: Ms. Moldenhauer, if I'm
16 going to have to say something about Mr. Otten
17 leading questions, you've adopted one of his
18 philosophies of leading questions, so work on that
19 question. I'll ask you to rephrase it.

20 MS. MOLDENHAUER: Are you aware -- sorry.
21 Did Gail, the owner, increase your rent every year
22 while you were in the building?

23 MR. MAZZAFERRO: She did increase slightly
24 every couple years. And then there was a period
25 longer than a couple years where it did not increase.

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1 MS. MOLDENHAUER: All right. And have you
2 currently had your rent increased since DB Lee and
3 Brook Rose acquired the building?

4 MR. MAZZAFERRO: No.

5 MS. MOLDENHAUER: And were you part of a
6 meeting that occurred when they first bought the
7 building in July?

8 MR. MAZZAFERRO: Yeah. Yeah, I was there.

9 MS. MOLDENHAUER: And what did they inform
10 you about rental increases at that time?

11 MR. MAZZAFERRO: I don't remember anything
12 about rental increases. But as I said, the rent
13 hasn't increased.

14 MS. MOLDENHAUER: What all did they inform
15 you about their plans or the need to possibly
16 relocate?

17 MR. MAZZAFERRO: Well, they said they were
18 going to be developing a hotel and they would like to
19 make artists part of it.

20 MS. MOLDENHAUER: Mr. Jones, is it?

21 MR. JONES: Yes.

22 MS. MOLDENHAUER: Hi. You phrased a question
23 as to why can't this building, and I'm paraphrasing,
24 but why can't this building stay the way it is? And
25 I would ask you, are you aware that the owner is

1 currently supplementing the mortgage and the rents of
2 the property?

3 MR. JONES: Well, reviewing the multiple, I
4 think 800 addendums made to this particular document
5 or so, I did see that, yes. However, I would like to
6 go on the record that I didn't say, why can't things
7 stay the same. It's not that simple. It's not a
8 matter of things just staying the same. It's
9 actually just a matter of preserving what's already
10 in there and applying it in a way that's effective.
11 You're going to revamp what's already again in place.
12 And granted you had a lot of, I could say,
13 attachments I guess, to the building.

14 And honestly, I welcome the attachments and I
15 would like to have a nicer building. But you don't
16 have to change anything inside of it. You don't have
17 to change the way things work. And honestly a third
18 floor for all the people who work artistically is not
19 enough.

20 MS. MOLDENHAUER: You indicated that you were
21 aware that the building is being supplemented. So is
22 that why you could not just simply revamp the
23 existing structure?

24 MR. JONES: Again, it's not so much just
25 about whether or not I know it's being supplemented.

1 It's the fact that again, the building itself, you
2 can change cosmetically. But you're essentially
3 changing everything that goes on within it, and that
4 is the issue I have. Because it's already effective.

5 MS. MOLDENHAUER: How is it -- is it
6 effective or is it viable? Would you call the
7 current building viable, financially viable?

8 MR. JONES: Financially viable? Actually, we
9 have projections. Gaje, to your left, will be more
10 than willing to fill you in on statistics of which we
11 have and which case we can project --

12 MS. MOLDENHAUER: I'm not talking about
13 future possible, and I'll get to questions about
14 Gaje.

15 MR. JONES: Okay.

16 MS. MOLDENHAUER: But I'm asking you, is the
17 current building currently viable to your
18 understanding?

19 MR. JONES: Let me ask you what your
20 definition of viable is.

21 MS. MOLDENHAUER: You just said, does it
22 sustain itself?

23 MR. JONES: Yes.

24 MS. MOLDENHAUER: You just testified that you
25 knew that the owner was supplementing the mortgage.

1 MR. JONES: Yes.

2 MS. MOLDENHAUER: So then how does the
3 building sustain itself?

4 MR. JONES: You keep on redirect the fact
5 it's the issue of what's going on inside the
6 building.

7 MS. MOLDENHAUER: But if what's going on
8 inside the building cannot pay the mortgage, how
9 does, then, the building currently sustain itself?

10 MR. JONES: We can pay the mortgage, but
11 you're rushing us to try and figure out whether or
12 not we can even stay in the building.

13 MS. MOLDENHAUER: Thank you. Gaje, how are
14 you doing this evening?

15 MR. JONES: Great.

16 MS. MOLDENHAUER: You can just push the
17 button.

18 MR. JONES: I'm okay.

19 MS. MOLDENHAUER: Gaje, you've been a part of
20 two recent meetings with the applicant and their
21 group since the last hearing?

22 MR. JONES: Yes.

23 MS. MOLDENHAUER: And were you a party at
24 both of those meetings?

25 MR. JONES: I thought I just answered that.

1 Yes. Yeah.

2 And did you present a concept at those
3 meetings?

4 MR. JONES: I did. I did. The concept that
5 I presented was a group effort. It was not just
6 myself. It was us coming together to try and work
7 with DB Lee to come up with an alternative to their
8 original submittal for the development of the arts
9 program in conjunction with the Cultural D.C.

10 That came after the last zoning hearing. The
11 request of Mr. Hood. And we only had one week to
12 bring together something which, as you could probably
13 understand was full of holes financially as well as
14 infrastructural, and we requested more time to
15 develop that plan and we are still working on it.

16 MS. MOLDENHAUER: You just said that you only
17 had two weeks to come up with that plan.

18 MR. JONES: I said a week.

19 MS. MOLDENHAUER: A week. Okay.

20 MR. JONES: Correct.

21 MS. MOLDENHAUER: So now you're saying you
22 only had a week to come up with that plan. Is that
23 not the same plan that's part of your website that
24 actually shows a slide deck that was dated on October
25 15th?

1 MR. JONES: That's correct.

2 MS. MOLDENHAUER: I'm sorry, October 2015.

3 MR. JONES: It's not.

4 MS. MOLDENHAUER: Is it substantially similar
5 to a slide deck that was on your website that was
6 drafted and created on October 2015?

7 MR. JONES: No, it's not. The difference
8 is --

9 MS. MOLDENHAUER: We'll provide documentation
10 during rebuttal for that purpose.

11 MR. JONES: And could I continue to answer
12 that question?

13 MS. MOLDENHAUER: I think you already have
14 answered the question. Thank you. I'll move on.

15 The number of studios that are currently in
16 your space that you -- do you -- sorry, do you lease
17 or do you sublease your space?

18 MR. JONES: Sublease.

19 MS. MOLDENHAUER: You sublease. And you
20 sublease your space from who?

21 MR. JONES: Union Arts.

22 MS. MOLDENHAUER: From, and who is the name
23 on the lease?

24 MR. JONES: I believe it's Luke Stewart.

25 MS. MOLDENHAUER: Luke Stewart. Okay. And

1 how much do you pay for the space that you sublease?

2 MR. JONES: Sixteen fifty.

3 MR. OTTEN: Excuse me. I object. I don't
4 understand this line of -- the cost of space?

5 CHAIRPERSON HOOD: You need to be on the mic.

6 MR. OTTEN: Chair, I'm just objecting to this
7 line of questioning. We're going into personal
8 details and financial arrangements that shouldn't
9 necessarily be public at this point. And there's no
10 foundation for this line of questioning at all.

11 MR. JONES: Actually, yeah, I --

12 CHAIRPERSON HOOD: Ms. Moldenhauer, can you
13 explain to me the line of questioning? Where are we
14 going with this?

15 MS. MOLDENHAUER: Well, it has to do with the
16 -- we heard the testimony just a second ago that Gaje
17 knows the financials, that he has this idea, and it
18 also has to do with some of the conversations that
19 we've had and that we'll provide additional
20 information during rebuttal. You know, I was
21 actually about to move on into some of the specifics.

22 CHAIRPERSON HOOD: Let me ask you, is the
23 applicant willing to listen to Gaje? If not, let's
24 move on. Is he willing to entertain anything that
25 he's going to say, if not, we need to move on because

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1 that's not germane, I don't believe.

2 MS. MOLDENHAUER: Okay. Well, we -- I think
3 we've already -- I wanted to get the price of his
4 current rent on the -- for the record, which I've
5 done.

6 CHAIRPERSON HOOD: Has anybody --

7 MS. MOLDENHAUER: How many --

8 CHAIRPERSON HOOD: Has anybody given out any
9 personal thing like, has anybody mentioned that
10 tonight? Okay. I haven't heard that, Ms.
11 Moldenhauer.

12 MS. MOLDENHAUER: Well, a lot of individuals
13 actually are sub-tenants and not actual tenants, and
14 so that's why the differential.

15 CHAIRPERSON HOOD: So they sublease. Okay.

16 MS. MOLDENHAUER: Yes, that's --

17 CHAIRPERSON HOOD: All right. Let's go to
18 the next question.

19 MS. MOLDENHAUER: How many studios, or you
20 said there's a difference between music studios and
21 control rooms. How many music studios are currently
22 on the space that you use at 411?

23 MR. JONES: How many what? Music studios?

24 MS. MOLDENHAUER: Music studios.

25 MR. JONES: Zero.

1 MS. MOLDENHAUER: Okay. Currently at 411
2 there's zero --

3 MR. JONES: Yeah there's zero music studios.
4 In terms of actually developed spaces that are
5 dedicated and professionally designed, zero. We are
6 working with very meager technology and very meager -
7 - our floors are falling apart. And so when you're
8 actually trying to question in a line to say
9 something about viability, and you're looking at the
10 case and point of we're working with meager
11 technology and we're an upstart business that started
12 literally this year, yes, this idea has been
13 developed for a long period of time. But this is
14 something that we've been working on and we feel
15 rushed to develop so that we can have a stake in this
16 development.

17 I mean, I have a brain on my head to develop
18 something. But again, like I've been saying, we need
19 time in order to make this thing happen correctly so
20 that what DB Lee, who has told us that they want to
21 build an authentic unique experience at their hotel,
22 if that's going to happen, we need time in order to
23 make that happen. And we need to work with them on a
24 consistent basis and not under the jurisdiction of,
25 we need to have something prepared so that you guys

1 can finish this PUD process. That's not how you do
2 collaboration.

3 How you do collaboration is you sit down, you
4 stop what you're doing, and you develop the thing out
5 correctly so that we can go through these numbers and
6 we can make this thing viable.

7 MS. MOLDENHAUER: When did you first meet
8 with Mr. Dennis Lee regarding your concept?

9 MR. JONES: The 29th, which was the two days
10 or three days before the first zoning hearing.

11 MS. MOLDENHAUER: And, I'm sorry, let's go
12 back to this. Let's go back to the actual space you
13 have. So you mention that fact that there's no
14 control room in the current design or basement floor
15 layout for the music space.

16 MR. JONES: Correct.

17 MS. MOLDENHAUER: Is there currently a
18 control room in your space?

19 MR. JONES: Yes, I've developed something to
20 be able to facilitate an actual recording event,
21 meaning that I can conduct something there. But of
22 the quality and of the consistency of a professional
23 design studio we are nowhere near it, and we need the
24 time in order to develop it as well as -- I mean,
25 again, this company is so new we haven't even went

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1 through the process of getting upstart money.

2 MS. MOLDENHAUER: What's the square footage
3 typically of a --

4 MR. JONES: A control room?

5 MS. MOLDENHAUER: -- control room?

6 MR. JONES: A control room consistently would
7 be about 400 square feet. It will be designed with
8 acoustical panels along the rear where your speakers
9 are coming behind you. So there will be sound
10 diffusers. There would also be two walls instead of
11 just one, as well as floating floors. This will also
12 have to have floating ceilings and floating walls.

13 So in their current plans there is none of
14 those things depicted. And again, if we were helping
15 them with -- thanks Jamal. If we were helping them
16 with this as they're going through and adding these
17 spaces, it's something to just put space and say,
18 okay, let's do it here, let's do it here. But
19 consulting with us in the process would be a big help
20 for both us trusting them in terms of this
21 collaboration.

22 MS. MOLDENHAUER: So the basement level music
23 space then is large enough to locate a music studio
24 and a control room?

25 MR. JONES: The basement, yes. The basement

1 is large enough, absolutely. It would have to
2 have --

3 MS. MOLDENHAUER: So it's just a question
4 of --

5 MR. JONES: It would have to have --

6 MS. COHEN: Designing this project now.
7 Yeah, I'm not --

8 MS. MOLDENHAUER: I'm just trying to ask the
9 questions to make sure that he understands that it is
10 large enough if -- that was stated that it was going
11 to be a music space.

12 MR. JONES: If I can answer the question.
13 It's large enough if you reduce the actual studio
14 size by two studios. Right now it's four. You would
15 actually have to have two of those studios actually
16 be control rooms. So that would reduce it to
17 actually only being two studios.

18 And also let me say that this speaks nothing
19 -- adding a studio only serves for somebody who is
20 recording. It doesn't have anything to do with
21 people rehearsing. You can't rehearse in a recording
22 room. That's a totally different environment. So
23 even though you're adding recording spaces --

24 CHAIRPERSON HOOD: Let me say this, let me
25 say this, let me help you with cross-examination, and

1 I don't know --

2 MR. JONES: I'm not trying to cross-examine.

3 CHAIRPERSON HOOD: No, no, let me help you
4 with this cross-examination. She asked you a
5 question. I think you answered it fully. But you're
6 going -- you keep going in more and more detail,
7 which I've learned over the years of being down here
8 for 17 years, the more detail you give, the more
9 questions that's going to be asked. So just answer
10 the question. And especially when you're under
11 cross-examination. And especially do that when you
12 go to court, if you ever have to. Okay?

13 MS. MOLDENHAUER: Okay. Let's just go back
14 for a second. How long have you been in the
15 building?

16 MR. JONES: Two years.

17 MS. MOLDENHAUER: Two years. So you were in
18 the building before --

19 MR. JONES: Gail, yes.

20 MS. MOLDENHAUER: While Gail owned it.

21 MR. JONES: Uh-huh.

22 MS. MOLDENHAUER: Did you ever present -- you
23 were aware that Gail was selling the building?

24 MR. JONES: Yes, I was.

25 MS. MOLDENHAUER: Did you ever present your

1 plan to the prior owner?

2 MR. JONES: No.

3 MS. MOLDENHAUER: Were you notified on
4 September 1st of the deadline of needing to move out
5 in conjunction with relocation of this --
6 redevelopment of this space?

7 MR. JONES: Yes, I was.

8 MS. MOLDENHAUER: Victoria from Transformers
9 earlier testified that a bar is not a place for
10 artists or kind of collaborative concepts. Is there
11 a bar in the current space that you lease? Is there
12 a bar structure?

13 MR. JONES: There is a kitchen that the
14 previous owners had that, yes, yeah, I guess you
15 could say it's a bar.

16 MS. MOLDENHAUER: All the people -- I'm
17 trying to understand the format, one of the questions
18 earlier from the Commission was, have people been
19 informed of the back and forth conversation? You
20 represent -- I'm going to mess up the name again, I'm
21 sorry, your company.

22 MR. JONES: Oh, 411 Artists Union?

23 MS. MOLDENHAUER: No. No --

24 MR. JONES: The Artist -- Mousai?

25 MS. MOLDENHAUER: Mousai.

1 MR. JONES: Mousai.

2 MS. MOLDENHAUER: I always see it different.
3 Mousai.

4 MR. JONES: Mousai. It's okay. It's the
5 plural of muse.

6 MS. MOLDENHAUER: Okay. Thank you. Mousai.
7 Have you then been disseminating the information that
8 you've gotten from the applicant to all of the
9 subtenants of Mousai?

10 MR. JONES: I believe in my testimony I
11 answered that. I said that, it's hard to do so when
12 we only have four days before the next hearing.

13 MS. MOLDENHAUER: So then the answer is no?

14 MR. JONES: No, the answer is yes. I said
15 that I did but it's hard to do so because we have
16 four days.

17 MS. MOLDENHAUER: All right. Thank you.

18 CHAIRPERSON HOOD: Okay. Mr. Otten, do you
19 have any cross? Did I hear you say just quickly?

20 MR. OTTEN: I said quick.

21 CHAIRPERSON HOOD: Okay, good.

22 MR. OTTEN: It's all relative. Okay. And
23 can I have you come back up here? So, Ms. Ashley
24 Brown.

25 MS. DIORE-BROWN: Yes.

1 MR. OTTEN: You testified earlier, you
2 testified earlier about minority owned businesses
3 that have come up through this space, right?

4 MS. DIORE-BROWN: Yes.

5 MR. OTTEN: And this is a really important
6 point that you mentioned. So these minority owned
7 businesses as commercial entities are now facing
8 displacement, right?

9 MS. DIORE-BROWN: Yes.

10 MR. OTTEN: And did you mention that it's a
11 safe space?

12 MS. DIORE-BROWN: Yes. It's a haven.

13 MR. OTTEN: And why do you think that
14 wouldn't be the case in this proposed hotel artist
15 space?

16 MS. DIORE-BROWN: Well, one, they haven't
17 visited any of the BYOB jams. They don't know that I
18 have classes every Tuesday from 6:00 to 9:00. I have
19 jams every Tuesday evening. I have office space in
20 there where I pay to Gaje for my space. They have no
21 involvement in that so.

22 MR. OTTEN: How many people would you say you
23 help with your classes and --

24 MS. DIORE-BROWN: With my classes, about 20
25 to 30 people, weekly. And then with my live jam,

1 which is also performance, I'm teaching between 50 to
2 150 people weekly.

3 MR. OTTEN: Now, how many young black people
4 do you help?

5 MS. DIORE-BROWN: About 50 to 150 weekly.

6 MR. OTTEN: What other spaces in the city
7 that you're aware of would do this in terms of those
8 numbers and --

9 MS. DIORE-BROWN: At my price, what I can pay
10 for rent, nowhere.

11 MR. OTTEN: Right on. Thank you.

12 MS. DIORE-BROWN: Yes.

13 MR. OTTEN: And, Mr. Jones, regarding Mousai
14 and this space, the -- you testified to attending the
15 two meetings in February with the applicant.

16 MR. JONES: Correct.

17 MR. OTTEN: Would you say the last meeting
18 you were at, which was the one on February 16th, was
19 that the last meeting you were at with them?

20 MR. JONES: That's correct.

21 MR. OTTEN: Those -- you had presented
22 something. You had presented a broad concept at that
23 point, right?

24 MR. JONES: Correct.

25 MR. OTTEN: About an alternative plan in the

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1 space?

2 MR. JONES: Yes.

3 MR. OTTEN: That potentially could be wrapped
4 into the developer's plans?

5 MR. JONES: Correct.

6 MR. OTTEN: And did you get into any
7 specifics or super details?

8 MR. JONES: No, I did not.

9 MR. OTTEN: They're broader concepts. But
10 you did introduce a business plan?

11 MR. JONES: I did.

12 MR. OTTEN: And you saw the filing on
13 February 19th from the applicant?

14 MR. JONES: Yes, I did. I didn't see it
15 until, I believe, Sunday morning. But I did.

16 MR. OTTEN: Okay. And so that filing, you
17 noticed, did you see the page in there that talks
18 about an agreement to use the third floor that's
19 proffered as part of the PUD application?

20 MR. JONES: I did.

21 MR. OTTEN: And would you describe the terms
22 of that usage as specific and detailed, like say the
23 rent of the space and what's expected of you?

24 MR. JONES: Yes.

25 MR. OTTEN: What are they trying to charge

1 you for that space?

2 MR. JONES: For 1,100 square feet, it would
3 be 1.5 million, I believe.

4 MR. OTTEN: Okay. All right. We'll have to
5 look at that again. That filing is the February 19th
6 filing.

7 MR. JONES: Yes. Yes.

8 MR. OTTEN: Right? Okay. And they're --

9 MR. JONES: I'm sorry. I'm sorry. Not 1.5.
10 One million, fifty thousand, I believe it was.

11 MR. OTTEN: Per year?

12 MR. JONES: It was around one million per
13 year. Yes, it's per year by square foot, so that
14 would be per year.

15 MR. OTTEN: Okay. And in that -- and do they
16 also lay out kind of what they want from you in terms
17 of expected membership in all of that?

18 MR. JONES: Correct. Yes.

19 MR. OTTEN: Down to the number of members?

20 MR. JONES: Yeah, that was the 1,500 members
21 by June, or letters of intent by June.

22 MR. OTTEN: Would it be fair to say that this
23 came across as a take it or leave it sort of
24 agreement?

25 MR. JONES: Yeah, I'd say so. I'd say that

1 it was, for all intensive purposes their olive branch
2 to us to try to develop something with them. But I
3 think it also speaks to their faith in our ability to
4 actually meet those numbers.

5 MR. OTTEN: But were those numbers agreed
6 upon by you or anybody in the room?

7 MR. JONES: No.

8 MR. OTTEN: On that last meeting. Okay. So
9 the numbers were kind of new to you four days ago?

10 MR. JONES: Correct.

11 MR. OTTEN: Like the rent at a million
12 dollars. The number of memberships. That's all new
13 stuff.

14 MR. JONES: Correct.

15 MR. OTTEN: So, this is why you're talking
16 about, I presume, the rush, this sense of a rush?

17 MR. JONES: Yes.

18 MR. OTTEN: And needing more time. What is
19 your intention next? Like if you had the best case
20 scenario here, what, in terms of a collaborative
21 process, what would you describe -- how would you
22 describe that?

23 MR. JONES: In terms of a collaborative
24 process the best case scenario would be for DB Lee
25 and the Artist Union to sit down for an extended

1 period of time to develop something together.
2 Something that would be viable, especially if it's
3 collaborative, needs collaborative effort. Not, you
4 guys go and take this and, yes, I believe they have
5 reached out and offered assistance. But the
6 assistance that we've received back at this point in
7 time has only been, this is where your holes are,
8 which we kind of already knew. Not in the sense of
9 hey, let's sit down and work on this. Let's have a
10 work session on Thursday. We're going to meet
11 together, we're going to work this out, we're going
12 to get our numbers guy with you, and we're going to
13 understand this concept together.

14 MR. OTTEN: And for clarity's sake, what is
15 the difference between your concept at Mousai and
16 what you pitched to the developer and what they have
17 proposed before the Zoning Commission?

18 MR. JONES: Well, Mousai's model is based off
19 of a membership structure, and that's what we can
20 bring and what we can offer to the table. But the
21 pitch that we did was based off of everyone in the
22 building, and it had a lot more involvement with
23 basically everyone who already has a studio in their
24 programming.

25 So my original model had no programming based

1 off of the tenants who were currently there. I had
2 to go back and reiterate and change all of that to
3 make sure that everyone is included. We aren't one
4 company. We are 30 different companies.

5 CHAIRPERSON HOOD: I appreciate, you know, I
6 appreciate how you're doing it and what's going on,
7 but the reality of it is, that's not before us. So I
8 would suggest, Mr. Otten, that you move to the next
9 question.

10 MR. OTTEN: Okay. Mr. Jones, are you
11 concerned that any discussions you have with Mr. Lee
12 and the team might be for naught, given that a hotel
13 operator hasn't been identified?

14 MR. JONES: That is a concern. That is the
15 concern that when we take some of these, you know,
16 meetings back to other people in the building that
17 they're also concerned with.

18 MR. OTTEN: And the concern is that the --
19 would you say the concern is that the hotel operator
20 could determine really the usage of that space, who
21 controls that space and --

22 MR. JONES: Yes.

23 MR. OTTEN: Okay. And would you describe
24 Mousai and 411 right now as a commercial incubator
25 space?

1 MR. JONES: I would. Absolutely.

2 MR. OTTEN: Okay. Thank you.

3 CHAIRPERSON HOOD: Okay. Thank you very
4 much. Again, our date.

5 Ms. Schellin, can you go over some dates for
6 us?

7 MS. SCHELLIN: Yes, sir.

8 CHAIRPERSON HOOD: Just hold your seats for a
9 second. Just a second so we can all make sure we
10 hear what's getting ready to be said.

11 MS. SCHELLIN: Yes. So, on March 16th at
12 6:30 p.m. we'll pick up with just the -- it's
13 actually seven names. There were seven people who
14 came forward and gave --

15 CHAIRPERSON HOOD: Seven names only.

16 MS. SCHELLIN: Seven names only.

17 CHAIRPERSON HOOD: Seven only.

18 MS. SCHELLIN: That gave me their names.

19 CHAIRPERSON HOOD: Ms. Schellin has them.

20 MS. SCHELLIN: Yes.

21 CHAIRPERSON HOOD: Those are the only seven
22 we're going to hear from before we go to the Office
23 of Planning and District Department of
24 Transportation.

25 MS. SCHELLIN: And then the applicant -- or

1 I'm sorry, the party in opposition's presentation,
2 and then rebuttal and closing.

3 CHAIRPERSON HOOD: Okay. So we all on the
4 same page? What's the date again, Ms. Schellin?

5 MS. SCHELLIN: That's Wednesday -- I'm sorry,
6 Wednesday, March 16th, at 6:30 p.m.

7 CHAIRPERSON HOOD: Ms. Moldenhauer, do you
8 have a --

9 MS. MOLDENHAUER: I've just been informed
10 that Tanya from Cultural D.C. is speaking out of the
11 District of Columbia at a program on the 16th. I
12 know that obviously a lot of the questions in regards
13 to our rebuttal will mostly be coming from Cultural
14 D.C. She could make herself come available on
15 Thursday. I don't know if that's a possibility.

16 CHAIRPERSON HOOD: We've already announced
17 the date and we have seven people who walked out of
18 this room. Well, at least most of them left,
19 thinking of the date. The time to speak was when we
20 mentioned the date.

21 If she has -- I know Cultural D.C. there was
22 another young lady that was with her. I don't know
23 if somebody else can come down and answer, but I'm
24 sure we can find somebody else.

25 MS. MOLDENHAUER: We will do that. And I'm

1 assuming that this is then obviously a date that the
2 Commission is identifying will be sufficient for us
3 to communicate and get additional feedback from Mr.
4 Otten and the individuals present tonight.

5 CHAIRPERSON HOOD: I didn't follow that.
6 It's getting late and I'm getting a little slow. Now
7 what was --

8 MS. MOLDENHAUER: I'm just putting that on
9 the record, there's no need for --

10 CHAIRPERSON HOOD: Okay. Don't put anything
11 extra. Not right now. Okay. Thank you very much
12 for whatever you put on the record. Maybe I'll
13 review the tape tomorrow.

14 Okay. Anything else, Ms. Schellin?

15 MS. SCHELLIN: No, sir.

16 CHAIRPERSON HOOD: I want to thank everybody
17 and we'll see you March the --

18 MS. SCHELLIN: Sixteenth.

19 CHAIRPERSON HOOD: -- 16th at 6:30. Thank
20 you.

21 [Hearing adjourned at 10:50 p.m.]

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