

GOVERNMENT
OF
THE DISTRICT OF COLUMBIA

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ZONING COMMISSION

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PUBLIC HEARING

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IN THE MATTER OF: :

:

Milestone East Capitol 2, LLC, et al. : Case No.

: 19-02

Map Amendment @ Square 5411, Lot 802 :

3610 Minnesota Avenue, S.E. :

:

Map Amendment @ Square 5412, Lot 801 :

3501-3547 East Capitol Street, S.E. :

:

Map Amendment @ Square 5413, Lot 802 :

127 35th Street, S.E. :

:

Map Amendment @ Square 5413N, Lot 801 :

3425 East Capitol Street, S.E. :

:

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Monday,
July 22, 2019

Hearing Room 220 South
441 4th Street, N.W.
Washington, D.C.

The Public Hearing of Case No. 19-02 by the District of Columbia Zoning Commission convened at 6:30 p.m. in the Jerrily R. Kress Memorial Hearing Room at 441 4th Street, N.W., Washington, D.C., 20001, Anthony J. Hood, Chairman, presiding.

ZONING COMMISSION MEMBERS PRESENT:

ANTHONY J. HOOD, Chairperson
ROBERT MILLER, Vice Chairperson
MICHAEL G. TURNBULL, FAIA, Commissioner (AOC)
PETER SHAPIRO, Commissioner

OFFICE OF ZONING STAFF PRESENT:

SHARON S. SCHELLIN, Secretary

OFFICE OF PLANNING STAFF PRESENT:

JOEL LAWSON
ANNE FOTHERGILL

D.C. OFFICE OF THE ATTORNEY GENERAL PRESENT:

MAXIMILIAN TONDRO, ESQ.

The transcript constitutes the minutes from
the Public Hearing held on July 22, 2019.

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

(6:31 p.m.)

1
2
3 CHAIRMAN HOOD: Okay. We're ready to get started.
4 Good evening, Ladies and gentlemen. This is a public hearing
5 of the Zoning Commission for the District of Columbia.

6 Today's date is July the 22nd. And what I'm going
7 to do tonight is ask, starting from my left to my right, for
8 my colleagues to introduce themselves with Ms. Schellin from
9 left to my right.

10 MS. SCHELLIN: Sharon Schellin, Secretary to the
11 Zoning Commission with the Office of Zoning.

12 COMMISSIONER TURNBULL: Mike Turnbull with the
13 Architect of the Capitol.

14 VICE CHAIR MILLER: Rob Miller, Mayoral Appointee
15 to the Zoning Commission.

16 COMMISSIONER SHAPIRO: Peter Shapiro, Mayor
17 Appointee to the Zoning Commission.

18 MR. LAWSON: Joel Lawson with the Office of
19 Planning.

20 MS. FOTHERGILL: Anne Fothergill with the Office
21 of Planning.

22 CHAIRMAN HOOD: And I'm Anthony Hood, Chairman of
23 the Zoning Commission.

24 Notice of today's hearing was published in the
25 D.C. Register. The hearing will be conducted in accordance

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1 with provisions of 11-Z DCMR, Chapter 4 as follows.

2 Mr. Brown, let me just ask this before I read this
3 whole statement. I think you can stand on the record.

4 MR. BROWN: We're happy to do so. I would like
5 to just introduce my team.

6 CHAIRMAN HOOD: Okay.

7 MR. BROWN: But we're happy to stand on the
8 record.

9 CHAIRMAN HOOD: So let me ask, is there anyone
10 here who's going to testify tonight in this case? Okay. Is
11 there anyone here who's in opposition? Okay. So most people
12 are here in support or just fact-finding?

13 (Off microphone comments.)

14 CHAIRMAN HOOD: Or fact-finding? Okay. All
15 right. I'm just trying to see where we are.

16 All persons wishing to testify before the
17 Commission in this evening's hearing are asked to register
18 at the witness kiosk. The staff will be available throughout
19 the hearing to discuss procedural questions.

20 Ms. Schellin, would you please administer the
21 oath?

22 MS. SCHELLIN: Yes. Those who are going to
23 testify please rise. Raise your right hand? Ma'am, in the
24 back?

25 (Witnesses sworn.)

1 MS. SCHELLIN: Thank you.

2 CHAIRMAN HOOD: Okay. At this time the Commission
3 will consider any preliminary matters. Does the staff have
4 any preliminary matters?

5 MS. SCHELLIN: Yes, sir. The Applicant is
6 proffering two expert witnesses. Nicole White from Symmetra
7 Design and Transportation. She's previously been accepted
8 by this Commission, and also Scott Matties, or Matties.

9 MR. MATTIES: Matties.

10 MS. SCHELLIN: Matties, in architecture. He has
11 been, has not been accepted by the Commission but was
12 accepted by the BZA before so we'd ask the Commission to
13 consider him as an expert by the Commission.

14 Again, he's being proffered in architecture. This
15 is a map amendment case so it's up to the Commission to
16 decide that and also to accept Ms. White in this case.

17 CHAIRMAN HOOD: Okay. So Commissioners, Ms.
18 Schellin, I want to ask that the opening statement be
19 incorporated in the record. I didn't read through all of
20 this.

21 But I will say this about the proffer expert
22 witness and typically in a map amendment we don't have any
23 architecture so we can hear his testimony but I would not be
24 in support of granting him party, I mean, not party status,
25 not in support, as an expert especially with the type of case

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1 that we have before us. Any objections?

2 COMMISSIONER SHAPIRO: No objections, Mr. Chair.

3 COMMISSIONER TURNBULL: I would agree, Mr. Chair.

4 I think if this was a different kind of case we'd have no
5 problems with Mr. Matties credentials, but as you've just
6 said, since it is a map amendment we should restrict it to
7 just the map amendment issues.

8 CHAIRMAN HOOD: Okay. And also in my haste to try
9 to move things along, if you're here and you want to testify,
10 please register at the witness kiosk next to my left. That
11 was in my opening statement and if you need assistance, Ms.
12 Schellin will be able to assist you with that.

13 All right. So do we have any other preliminary
14 matters? Do we have any other preliminary matters?

15 MS. SCHELLIN: I'm sorry. No, sir. Other than
16 to advise that there is the letter in support from Council
17 Member Gray at Exhibit 15, a letter from the resident's
18 tenant's association, Meadow Green Courts, in support at
19 Exhibit 6F, and other than that, of course you've got your
20 regular Agency letters that you'll go through. But I wanted
21 to just point those two out to the Commission.

22 CHAIRMAN HOOD: Okay. Thank you, Ms. Schellin.

23 Okay. Mr. Brown, you can begin introductions and
24 we'll go with our questions. I think it's pretty
25 straightforward. We will hear from the one person who's here

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1 in opposition and we'll go, I mean, one in support and one
2 in opposition and we'll go with that.

3 MR. BROWN: Sure. Again, Patrick Brown from
4 Greenstein, DeLorme and Luchs, on behalf of the Applicant for
5 Milestone, LLCs. And I'll let my other witnesses introduce
6 themselves.

7 MR. GALLAGHER: I'm Tom Gallagher representing the
8 Applicant.

9 MS. WHITE: Nicole White, principal with Symmetra
10 Design.

11 MR. MATTIES: Scott Matties, vice president with
12 Weincek and Associates Architects and Planners.

13 PARTICIPANT: Mr. Chairman, Mr. Gallagher wants
14 to add something.

15 MR. GALLAGHER: I want to just acknowledge our
16 guests. We have some residents here. Justine LeGrand, Carla
17 Norde, Jay Brown, Ykelia Davis, are here from the resident's
18 group.

19 One of our neighbors, Ms. Diggs, is here and I
20 think maybe you've signed up to speak possibly. That's
21 great.

22 And I have my senior staff here beginning with
23 Melissa Steele, my CEO, Stephanie Edelen, who's the regional
24 manager, April Merrill, who's the property manager, and a
25 couple of her staff, Danielle Ross and Anthony Campbell. I

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1 just want to acknowledge them all for the record.

2 CHAIRMAN HOOD: So will you call their name again,
3 could you just ask, we'll ask that they raise their hand so
4 we can see who you're talking about?

5 MR. GALLAGHER: Absolutely. So Justine LeGrand.

6 CHAIRMAN HOOD: Okay.

7 MR. GALLAGHER: Carla Norde, Jay Brown, Ykelia
8 Davis, and April Merrill, Danielle Ross, Anthony Campbell,
9 Ms. Diggs.

10 Oh, I missed Kevin Butler. Kevin is our Director
11 of Resident Services, Stephanie Edelen, Melissa Steele, and
12 who'd I miss? Okay. I think I got it.

13 CHAIRMAN HOOD: Okay.

14 MR. GALLAGHER: That's us.

15 CHAIRMAN HOOD: All right. If they're down here
16 supporting you, I know you didn't want to miss nobody.

17 (Laughter.)

18 MR. GALLAGHER: That's exactly right, Mr. Chair.

19 CHAIRMAN HOOD: Okay. So make sure you got
20 everybody.

21 MR. GALLAGHER: I think I got them all.

22 CHAIRMAN HOOD: I saw one person.

23 MR. GALLAGHER: Did I miss anybody? Oh, I missed
24 Shirley Thompson, right, the President of the Resident's
25 Association.

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1 CHAIRMAN HOOD: Well, that's the wrong person to
2 miss, I think.

3 MR. GALLAGHER: That's exactly right. That's
4 exactly, I'm sorry, Shirley.

5 CHAIRMAN HOOD: Okay. Okay. So I think protocol
6 has definitely been established, so thank you.

7 MR. GALLAGHER: Thank you.

8 CHAIRMAN HOOD: Okay, Mr. Brown, anything else?

9 MR. BROWN: No, we stand on the record and we're
10 here to answer any questions the Commission may have.

11 CHAIRMAN HOOD: So again, we're not here to talk
12 about a particular case. We're here to talk about the rezone
13 and the map amendment. So unless someone wants to talk about
14 the map amendment, I will open it up for questions, comments.
15 Thank you. I thought it was pretty straightforward. Any
16 questions or comments?

17 If we don't any questions and comments, you did
18 a good job, Mr. Brown in your filings.

19 Okay. Let's go to the Office of Planning's
20 Report. Okay. Hold on a second. I'm sorry, ANC. Did I see
21 an ANC report?

22 MR. GALLAGHER: Mr. Chairman. Our Commissioner,
23 Chairman, Counsel, Committee Member Fletcher is here. I
24 think I mentioned her earlier but she is here tonight.

25 CHAIRMAN HOOD: Okay.

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1 MR. GALLAGHER: She's our single member.

2 CHAIRMAN HOOD: So --

3 MS. SCHELLIN: It's 7F.

4 CHAIRMAN HOOD: 7F? I see the --

5 MS. SCHELLIN: 17B.

6 CHAIRMAN HOOD: 17B, okay.

7 MS. SCHELLIN: Tyrell Holcomb is the Chair, yes.

8 CHAIRMAN HOOD: Letters, okay.

9 All right. Is Mr. Holcomb here? Who's going to
10 represent ANC?

11 (Off microphone comments.)

12 CHAIRMAN HOOD: Are you representing ANC? Do you
13 have any cross examination, well, of the case, because you
14 didn't hear anything. Do you have anything other than what
15 we did? Do you have any cross exam? That's where you ask --
16 okay.

17 All right. Let's go to the Office of Planning and
18 I guess I'll read the DDOT report.

19 Ms. Fothergill?

20 MS. FOTHERGILL: Good evening, Chairman Hood, and
21 members of the Commission. For the record, I'm Anne
22 Fothergill with the Office of Planning. And the Office of
23 Planning rests on the record in support of a map amendment
24 and I'm happy to take any questions.

25 CHAIRMAN HOOD: Colleagues, any questions of Ms.

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1 Fothergill?

2 (Off microphone comments.)

3 CHAIRMAN HOOD: Okay. Mr. Brown, you have any
4 questions of Office of Planning?

5 MR. BROWN: No.

6 CHAIRMAN HOOD: Okay.

7 Let's see if I can get the DDOT report open here.
8 Oh, does the ANC have any cross examination, Office of
9 Planning? Okay. On Exhibit, is that 26?

10 And it basically says, let me, in conjunction with
11 Tract 11, 12A, and 24 of the District of Columbia Municipal
12 Regulations, DDOT's Design and Engineering Manual, and the
13 Public Realm Design Manual, will serve as the main Public
14 Realm references for the Applicant.

15 DDOT staff will be available to provide additional
16 guidance. And I think it's in the front that I'm really
17 looking for.

18 Okay. DDOT has no objections and that's in the
19 Exhibit to the map amendment based on the analysis on the
20 Applicant's Comprehensive Transportation's Review. So DDOT
21 has no objections. Certainly we, the letter's in the file
22 for any questions or comments.

23 Now did we have any other, I think DHCD or off the
24 top of my head which is dangerous --

25 COMMISSIONER SHAPIRO: I believe, Mr. Chair, we

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1 don't have any other government agencies --

2 CHAIRMAN HOOD: Are we sure?

3 COMMISSIONER SHAPIRO: Just the letter of support
4 from the Council member.

5 CHAIRMAN HOOD: Okay. Okay. I thought I read
6 something but maybe I didn't. Anyway, okay yes, it is. The
7 DC Department of Housing and Community Development informed
8 the Office of Planning that they had no objections to the
9 requested rezoning at the time of this report.

10 And I think that was, other than that we do have
11 a letter from the Honorable Council Member, Former Mayor,
12 Vincent Gray from Ward 7, in support.

13 Anything else that I may be omitting? Okay. Now
14 it's time for the report of the ANC. If you want to come
15 forward and give us your report?

16 All right. You want me, is this really basically
17 reinforcing what you already had? If not we can take it for
18 the record. It's up to you.

19 (Off microphone comments.)

20 CHAIRMAN HOOD: Come forward and, why don't you
21 do this. Come forward and identify yourself and then you can
22 tell me.

23 MS. FLETCHER: My name is Carol Fletcher, sorry,
24 Carol Fletcher, my SMD is 7F46. No, I went through the whole
25 process with the whole project and for the rezoning as well

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1 so I don't have any objection or questions.

2 CHAIRMAN HOOD: So we'll stand on this letter of
3 support that you all have in the record from 7F from your
4 chairperson, Tyrell Holcomb.

5 MS. FLETCHER: Holcomb. Yes.

6 CHAIRMAN HOOD: Okay. Well, thank you very much.

7 MS. FLETCHER: You're welcome.

8 CHAIRMAN HOOD: Let's see if anybody has any
9 questions for you.

10 Colleagues, any questions? Okay. Does the
11 Applicant have any questions?

12 PARTICIPANT: No.

13 CHAIRMAN HOOD: Okay. Thank you very much.

14 Okay. Do we have any organizations and persons
15 over here in support? If you can come forward?

16 MS. DIGGS: Thank you. Oh, the last time I was
17 here, the first time, I was actually in opposition to, I
18 think it was a height issue.

19 CHAIRMAN HOOD: Could you give us your name,
20 first?

21 MS. DIGGS: Betty Diggs.

22 CHAIRMAN HOOD: Okay, Ms. Diggs.

23 MS. DIGGS: Since that time, I've seen Mr.
24 Gallagher and his team at several ANC meetings and other
25 meetings and we've always found him to be so transparent,

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1 responsible, and up front.

2 We can't be in opposition because he lays
3 everything out. If there's an issue he will come back,
4 discuss it, run over it. So the level of transparency is
5 what I've been most impressed by. And I just find him to be
6 a very transparent and responsible businessperson. So we are
7 in support.

8 I'm a member of an organization, ABC365, but I'm
9 not testifying on behalf of that organization. I live in the
10 community and I own a building on B Street. So he's a good
11 neighbor.

12 CHAIRMAN HOOD: Thank you very much. Let's see
13 if we have any questions or comments. Any questions? Mr.
14 Shapiro?

15 COMMISSIONER SHAPIRO: Just to say I appreciate
16 your leadership in the community and also it's nice to hear
17 the kind words.

18 MS. DIGGS: Yes.

19 COMMISSIONER SHAPIRO: Thank you for that.

20 MS. DIGGS: Thank you.

21 CHAIRMAN HOOD: Okay. Let me also acknowledge Mr.
22 Tondro. I noticed that he came and he's been with us for a
23 while but I didn't acknowledge him for the record.

24 Okay. So do we have the other support? Okay.
25 I saw one person in opposition. Organizations and persons

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1 in opposition, if you come forward at this time?

2 (Off microphone comments.)

3 CHAIRMAN HOOD: Okay. Well, are you in opposition
4 to the case or just some, I tell you what, come forward and
5 we'll work it out when you get up here.

6 Anybody else who may be in opposition or
7 undeclared or unsure, could you come forward?

8 (Off microphone comments.)

9 CHAIRMAN HOOD: So I need you first to turn the
10 mic on, have a seat, identify yourself, and then you can
11 begin speaking.

12 MS. MUHAMMAD: Good afternoon. My name is Sister
13 Muhammad.

14 CHAIRMAN HOOD: Okay, Sister Muhammad, you're on.

15 MS. MUHAMMAD: I say I was in opposition because
16 I don't know what's going on. So because I don't know what's
17 going on I'm not in support of it.

18 CHAIRMAN HOOD: Okay.

19 MS. MUHAMMAD: I was under the impression tonight
20 two different things was going on. And one of the, now I'm
21 finding out it's just about the height of the building, is
22 that correct?

23 CHAIRMAN HOOD: This tonight, what we're doing,
24 we're doing what is called a map amendment. We're doing a
25 map amendment which consists of, have you met with the, have

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1 you, let me just ask this. I don't want to get too much into
2 their case because it's their case to prove, not mine.

3 Have you been to any ANC meetings? Do you get a
4 notice or how do you know?

5 MS. MUHAMMAD: All of the buildings in these, in
6 Meadow Green had these fly, had these big green signs on it
7 saying to come today to this room and if you had any
8 proposals or something that, some type of wording like that.

9 And so I had, I was interested in knowing because
10 that was really the biggest thing. The size will be --

11 CHAIRMAN HOOD: So Mr. Brown, could you, in two
12 minutes, could you just explain to the young lady what you're
13 doing?

14 MR. BROWN: The application is to rezone the
15 property from its current RA-1 zoning to RA-2. The practical
16 effect of that is that the building density will be larger
17 than it would be permitted now and the building heights would
18 be ten foot taller than the 40 foot permitted under RA-1.

19 This is part of a ten-year phased redevelopment
20 of the Meadow Greens property and it's important that it's
21 phased so that all the existing residents are guaranteed a
22 spot in the new building. They're guaranteed caps on their
23 rents and other provisions, so that there will be a slow
24 redevelopment of these 1940 era buildings, one by one, into
25 new buildings that will maintain more than 50 percent

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1 affordability and nobody will be displaced.

2 CHAIRMAN HOOD: So what you're asking, let me try
3 to help the young lady as well, so what you're, I'm going to
4 ask you, I'm going to ask it in a way of a question so you
5 can respond.

6 So the reason you're here today is to try to, as
7 you just mentioned, increase your density so you can bring
8 back whatever the case is because really we're not talking
9 about a case, but you can bring back either more, either
10 what's already there or more affordable units, so units for
11 folks to live in, is that the reason you're here?

12 MR. BROWN: That's correct.

13 CHAIRMAN HOOD: Okay. Anything else going down
14 those lines of why you're here? That's the main reason?

15 MR. BROWN: Yes, that's the main reason and the
16 RA-2 will allow a stable format for this ongoing development
17 as a matter of right over the next ten years.

18 CHAIRMAN HOOD: And that could not be achieved as
19 the zone it' up under now, correct?

20 MR. BROWN: That's correct.

21 CHAIRMAN HOOD: Okay.

22 MR. GALLAGHER: Mr. Chairman, may I add a little
23 bit?

24 CHAIRMAN HOOD: Sure.

25 MR. GALLAGHER: So the rationale for the increased

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1 density is so that we can pay for the very substantial
2 benefits for the existing residents. There are 400 plus
3 existing occupied units and committed to those residents,
4 rent increases that are essentially rent control capped.

5 And these are, we're moving them to new units with
6 no rent increases other than the cost of living plus two
7 percent.

8 And the money that pays for all of that frankly
9 is the additional density on the property.

10 The other important goal is economic integration
11 over time as the markets will allow us to provide both
12 workforce housing and then maybe also some market rate
13 housing.

14 CHAIRMAN HOOD: Typically that's not part of our
15 discussions but for the record, I'm just saying we did that
16 because we had a resident who was unsure who was not
17 attending anything and they, at least these meetings, and
18 wanted some clarification.

19 So I'm going to come back to you now and let's
20 turn off one of those, Mr. Brown.

21 So I'm going to come back to you now. Do you have
22 a better understanding? Because here's the other thing.
23 Even after this because this looks pretty straightforward to
24 us, even after, well, to me. I don't know what anybody else
25 is going to do.

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1 But even after, because now you never know what's
2 going to go on, but I can tell you that even after this
3 you're going to have a discussion with the petitioners as
4 well as with the ANC and bring it so you can get up to speed.

5 Any other questions or comments you have of us?
6 Was that helpful?

7 MS. MUHAMMAD: Yes.

8 CHAIRMAN HOOD: Are you satisfied? I want
9 everyone to be satisfied now.

10 MS. MUHAMMAD: I'm fine.

11 CHAIRMAN HOOD: Okay. So I would ask that you all
12 reach out and continue to explain and help as well as the ANC
13 Commissioner.

14 Do you want to come forward too? Do you have
15 something you want to say?

16 (Off microphone comments.)

17 CHAIRMAN HOOD: Okay.

18 (Off microphone comments.)

19 CHAIRMAN HOOD: Okay. So we have somebody else
20 in opposition. Have a seat, identify yourself.

21 MS. SIMMS: My name is Martina C. Simms and I live
22 on Croffut Place which is three houses, three streets over
23 from where --

24 CHAIRMAN HOOD: Hold on one second. Turn your
25 phone off first. There you go. I mean, not your phone, your

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1 --

2 (Laughter.)

3 CHAIRMAN HOOD: My mind's all over the place
4 today.

5 MS. SIMMS: That's okay.

6 CHAIRMAN HOOD: Okay.

7 MS. SIMMS: Yes, Martina C. Simms, because there's
8 been no communications outside of those public hearing
9 posters that I've seen which is how I ended up here today.
10 There's been no communication because to me this affects far
11 more people than just the residents that currently live in
12 Greenway.

13 CHAIRMAN HOOD: So let me ask this. Do you, not
14 that this is a requirement, but do you attend your ANC
15 meetings?

16 MS. SIMMS: I have before, yes.

17 CHAIRMAN HOOD: And how many ANC meetings?

18 MS. SIMMS: Ms. Fletcher isn't really very
19 responsive.

20 CHAIRMAN HOOD: Oh, okay. Well, so I don't want
21 to comment on that because I don't know. But so you did see
22 the placards, the green placards?

23 MS. SIMMS: I did and I pulled over and I --

24 CHAIRMAN HOOD: So we know that's working?

25 MS. SIMMS: Yes.

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1 CHAIRMAN HOOD: Typically, what I always
2 encourage, and it's not a requirement to go to ANC meetings
3 but that's how people who want to do stuff in our
4 neighborhoods, that's how they get to us, through our ANC,
5 our first line elected officials.

6 MS. SIMMS: Yes.

7 CHAIRMAN HOOD: So even if we disagree with how
8 somebody's running it right now --

9 MS. SIMMS: Yes.

10 CHAIRMAN HOOD: Then it's always good for us to
11 go because that's the kind of information that's, some of the
12 stuff that we're doing here tonight typically is not in our
13 process but that's the kind of stuff that we flush out at our
14 ANC meetings.

15 MS. SIMMS: Yes.

16 CHAIRMAN HOOD: So I would encourage you as well
17 to, well, let me hear from you because you didn't really tell
18 me all your opposition. Let me just hear from you first.

19 MS. SIMMS: Well, when I hear the word density,
20 I hear more people and that sounds like what this is going
21 to happen. So they're going to increase the amount of
22 residents that live, that currently exist in Greenway.

23 I live two house, two streets over from where
24 Greenway is and that's a pretty dense area already. So no,
25 I will not be looking forward to having more neighbors.

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1 MS. MUHAMMAD: Okay, this is what I don't like.
2 When you all say density, that means size because I went to
3 school. I know math too. You all are trying to add on a,
4 you're trying to increase the height of the building.

5 And you're saying that part of the people that's
6 going to be in one of those units or some of those units are
7 going to, are going to be able to keep their rent cap or
8 whatever the case may be.

9 You can already do that without making us -- first
10 of all, I was, me and my husband was walking down the street
11 today. You all going to tear down some of those pine trees
12 in order for you to increase the height. You are going to
13 tear them down.

14 The pine trees are tall. You're going to have to
15 tear them down because they've grown to the point where they
16 deal with the side of the building but once they cut, one
17 they reach taller than the side of the building, then they
18 grow a little bit over top.

19 So you all are going to destroy, you all are going
20 to destroy, it's going to be very loud. You know what I'm
21 saying? That's a quiet street. That's like in the cut,
22 that's a quiet little area and you about to have all them
23 ducks, because you all do that every time you all do
24 something in D.C.

25 Every time all it is like one big construction

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1 path in D.C. And I'm not, it doesn't bother you because you
2 don't live in D.C. You don't. You don't. And you probably
3 don't live in that area. But that's traumatizing.

4 It's people that want to have babies and stuff
5 like that. Your dump trucks and all those type of big
6 construction, they're coming through early in the morning,
7 coming down Minnesota Avenue which is always under
8 construction, tying up traffic.

9 CHAIRMAN HOOD: So what I'm going to do is, let
10 me just, I don't want to cut you off but actually if somebody
11 was to take this to court and they look at our transcript,
12 they will really say that we were not germane to what we do.

13 MS. MUHAMMAD: Okay.

14 CHAIRMAN HOOD: So what I want us to do is make
15 sure, and I'm very cognizant and I understand what you're
16 saying. I want to make sure we're germane to the subject in
17 this space, stay just to the subject.

18 MS. MUHAMMAD: Talking about the height.

19 CHAIRMAN HOOD: Like some of those, we're
20 increasing density. We're going for more, what are we going
21 to, an R2? RA-2. We're going from RA-1 to RA-2 which allows
22 them to do a little more as he's already stated. I don't
23 know what more else he can do.

24 But my thing is about the involvement. The only
25 thing I can tell you because this is a map amendment for us.

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1 I would just say, you know, I don't, the merits of the case
2 for me we're going to my approval so I don't see any adverse
3 impacts for me.

4 MS. SIMMS: What do you mean you don't see any --

5 CHAIRMAN HOOD: I don't see, nobody has produced
6 any, what is, give me an adverse impact of this case.

7 MS. SIMMS: My quality of life is an adverse
8 impact.

9 CHAIRMAN HOOD: Okay.

10 MS. SIMMS: And maybe you don't know about that
11 area but all of those areas, that whole side of the street
12 backs up to that train track.

13 CHAIRMAN HOOD: Let me just say this. People come
14 down and tell me a lot about where I'm not, and I'm not going
15 to take it personal but I am going to just say this to you,
16 both of you.

17 I used to hang in Greenway so I know. Okay. So
18 I know about the area and I know exactly what, how it goes.
19 But that's not germane to this proceeding.

20 MS. SIMMS: So what I'm saying is --

21 CHAIRMAN HOOD: Okay. That's not germane to the
22 proceeding. We want to stay germane to the proceedings here.

23 MS. SIMMS: Okay.

24 CHAIRMAN HOOD: I'm looking at adverse impacts.

25 MS. SIMMS: What if --

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1 CHAIRMAN HOOD: If you have, let me just say this.
2 If you have trucks that come in here right for now, sometime,
3 I'm inconvenienced as well. Others are inconvenienced in
4 this city all the time when we do development. But we're
5 inconvenienced but we have to look at whether the
6 inconvenience outweighs the benefit.

7 MS. SIMMS: And what I'm saying to you is we just
8 had a new building go across on the other side of East
9 Capitol. That's a whole new building that did not exist
10 where the discount mall and Greenway shopping center was at.

11 So that's new people in the area. That's new
12 residents to that area.

13 CHAIRMAN HOOD: Yes.

14 MS. SIMMS: Now you're coming across to Greenway
15 on the opposite side of East Capitol Street, and if you were
16 just saying that you were going to take down and replace then
17 that would be fine.

18 But now we're here for a mapping issue to increase
19 the amount of people that will dwell on that side of the
20 corridor. And I'm telling you as a resident who owns a home
21 on Croffut Place I object to that because there's already
22 enough people on that side.

23 CHAIRMAN HOOD: So your objection is you don't
24 want any more people in your neighborhood?

25 MS. SIMMS: No.

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1 CHAIRMAN HOOD: That's your, that's the adverse
2 impact?

3 MS. SIMMS: It's a lot that comes with more people
4 in your community. What infrastructure changes are going to
5 accommodate these, if you make this change to the maps, does
6 it change the school? Do we get a new school?

7 CHAIRMAN HOOD: So what --

8 MS. SIMMS: Do we get more police officers?

9 CHAIRMAN HOOD: So what happens is each government
10 agency through the Office of Planning usually opines on this
11 particular case.

12 MS. SIMMS: I didn't hear the school board say
13 anything.

14 CHAIRMAN HOOD: But I'm just telling you, they
15 have the option to or not to. But a lot of times like we
16 mentioned the DDOT report, and I'm just explaining to you and
17 I'm not being argumentative or anything, trust me.

18 MS. SIMMS: It's not an argument.

19 CHAIRMAN HOOD: So what I'm just trying to explain
20 to you, what I'm saying is, the government subject matter
21 experts have an opportunity to the way in. Infrastructure,
22 and then they have other, once it's being built they have
23 other avenues they have to go to for like through permitting.

24 MS. SIMMS: Yes.

25 CHAIRMAN HOOD: All right. So this is just not,

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1 this just right here is the map amendment to do the zoning.
2 After this they have other steps that they have to take.

3 MS. SIMMS: Well, is this the initial phase? Is
4 this the beginning?

5 CHAIRMAN HOOD: This is the getting started,
6 right.

7 MS. SIMMS: So right, so now we're at a stopping
8 point.

9 CHAIRMAN HOOD: No, no. Where it got started is
10 at the ANC meeting.

11 MS. SIMMS: Okay.

12 CHAIRMAN HOOD: Okay. Where it got started was in
13 the community.

14 MS. SIMMS: It would have been nice if Mayor Gray
15 had sent out a newsletter letting him know that he had agreed
16 to this. That'd been great.

17 CHAIRMAN HOOD: Okay. Anything else?

18 MS. MUHAMMAD: What are the categories under which
19 you can like, you know like when you go get a ticket, you go
20 contest the ticket down at the DMV, you got to have the, you
21 got your excuse or whatever, got to be one of those like
22 subjected areas of acceptability?

23 CHAIRMAN HOOD: You mean if you kind of protest
24 the ticket?

25 MS. MUHAMMAD: What are the, yes, because we're

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1 probably not using the right wording.

2 CHAIRMAN HOOD: So, so --

3 MS. MUHAMMAD: What are the areas in which we can
4 oppose to legally, because see he using density, he using his
5 terminology. All we're saying is we oppose and we're saying
6 we're, the reason is because it's not going to be a healthy
7 lifestyle but you all don't have that as one of your
8 categories to like make a certified objection.

9 Like what are the reasons you could actually say?
10 Because it's probably all of them.

11 CHAIRMAN HOOD: So here's what my counselors
12 advise me. This is what we basically look at. The Zoning
13 Commission, which is us, shall find that an amendment like
14 what we're doing tonight is not inconsistent with the
15 Comprehensive Plan and with other adopted public policies and
16 active programs related to the subject site.

17 So this goes back to what you were saying or I was
18 saying that the other agencies look at it and they weigh --

19 MS. MUHAMMAD: Yes.

20 CHAIRMAN HOOD: -- weigh what's going on and I
21 think that's kind of where we're going. Ms. Tondro, I want
22 to make sure, I'm not a lawyer even though I try to be one
23 sometimes but it doesn't work out well.

24 MS. MUHAMMAD: That doesn't answer the question.
25 Like what are the, she's saying like socially, it's a social

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1 problem.

2 MS. SIMMS: But I got the --

3 MS. MUHAMMAD: What are the areas that I can say,
4 I'm trying to figure out what are the categories that we can
5 actually claim in opposition to?

6 CHAIRMAN HOOD: Well, that was what I was saying.
7 I was asking you about what are the impacts of us making this
8 a map amendment that's changed, this rezoning. What are the
9 impacts?

10 MS. SIMMS: So on the map, how many RA-2 areas
11 have been identified on Minnesota Avenue and Croffut Place
12 and all of the surrounding areas? Are they all RA-2?

13 CHAIRMAN HOOD: I would have to go to somebody
14 else. I just start, every night I just start with whatever
15 case is in front of me.

16 MS. SIMMS: Okay. But is it consistent though?
17 Is it consistent?

18 CHAIRMAN HOOD: I don't what to say. I don't know
19 what to say. I would ask Ms. Fothergill, could you help us
20 with that or did you do the same thing I did?

21 MS. MUHAMMAD: You won't answer my question about
22 the --

23 CHAIRMAN HOOD: Let me say this. I've answered
24 more questions. I've been here 21 years. You all have asked
25 me more questions tonight than I've been asked in a long

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1 time.

2 MS. MUHAMMAD: I was just asking trying to get,
3 I'm just trying --

4 CHAIRMAN HOOD: And I'm trying to help you, I
5 really am. I'm really trying here. I'm not being
6 argumentative, I'm trying to help you. Because I don't
7 think, a lot of times I would get the nudge, come on, move
8 it along, but I'm trying to help you because you all both
9 came up and this is not my first time.

10 You both came up, you don't do zoning every day.
11 A lot of people don't do this stuff all the time. So that's
12 why I take time to do it even though when the court looks,
13 they're going to say this is outside, what were they talking
14 about. They'll probably skip five pages and go to the next
15 thing because they want to know about impacts in our zoning.
16 That's what they want to know.

17 (Simultaneous speaking.)

18 MS. MUHAMMAD: So the needs of the people doesn't
19 fall under any type of, I'm just asking.

20 CHAIRMAN HOOD: I'm sorry.

21 MS. MUHAMMAD: What we're trying to say is it's
22 a problem in totality. It's not just one individual thing.
23 It's in order for you to rezone and build ten feet high and
24 make bigger density, you're going to have to bring trucks
25 down the street.

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1 You're going to, on top of the people before they
2 even come and live there, you're going to have a bunch of
3 people working there, Ubering, coming down the street. You
4 know what I'm saying, walking down the street 5 o'clock in
5 the morning, 4:30 in the morning trying to get to a work
6 site.

7 So the practicality of what you, of the rezoning,
8 that's going to be a problem too, all those people down that
9 little teeny Street.

10 MS. SIMMS: Well, and I just think --

11 MS. MUHAMMAD: For me, that's my, I'm not speaking
12 for her. I'm just bringing up a point. You asked me to
13 bring up a point. I brought up a point.

14 It's not feasible for that type of neighborhood.
15 The neighborhood already exists before they come along with
16 the idea. So when you come along and you're trying to make
17 it denser, why? It's like you just want --

18 CHAIRMAN HOOD: Okay. Let's see, Commissioner
19 Shapiro has a follow-up.

20 COMMISSIONER SHAPIRO: Thank you, Mr. Chair. Just
21 related to our process and I, you know, this is why we have
22 these kinds of hearings, is so that you have the opportunity
23 to voice your concerns.

24 And I hear you loud and clear. So we are the ones
25 who make this decision. Your concerns are heard.

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1 MS. SIMMS: So that it's noted, because I don't
2 it to get lost in the back and forth, I would love to see
3 what infrastructure has been done. What studies, what is the
4 long term effect for what that neighborhood will look like
5 before, what it looks like now in its as is state, and what
6 it will look like after this is done.

7 And I'm talking about population, age of residents
8 --

9 MS. MUHAMMAD: Yes.

10 MS. SIMMS: -- that sort of thing. Because they
11 just redid Kimball. Kimball was at capacity. And also all
12 of that surrounding area. And I think the one also important
13 point to note is, okay, if you change this from RA-1 to RA-2,
14 is that consistent with the rest of the community on the
15 outside all the way along starting from Eli Street all the
16 way down?

17 And also considering all the other things. So
18 going back to her point, in totality we're looking at this
19 one project but I would love to see who is looking at that
20 whole area over there and what do we have to support that?

21 COMMISSIONER SHAPIRO: Thank you. So I --

22 CHAIRMAN HOOD: I appreciate it. If I can, I
23 think what she's looking for and I understand. I don't know
24 if the Office of Planning or if there's been an overall study
25 and maybe you can follow with Office of Planning and see what

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1 the overall, exactly what you're talking, because they are
2 done, the overall study for the whole neighborhood. Not just
3 specifically to this project but the whole neighborhood.

4 MS. DIGGS: And I appreciate their study and I
5 would also love to see what the parking situation is going
6 to look like because they're the, DCRA is the same people who
7 allowed two buildings to be built almost on top of the
8 railroad track where people pop in and kids almost got hit.

9 CHAIRMAN HOOD: Okay. So I'm looking here at the
10 letter from Council Member Gray. E and G group has been
11 active in Ward 7 as a developer and manager of affordable
12 housing for over 20 years. Is that true?

13 MR. BROWN: Yes, Mr. Chairman, that's true.

14 CHAIRMAN HOOD: Okay. Not that I'm not taking his
15 word but I'm just, I wanted to find out for myself.

16 Over the last several years, the Applicants have
17 worked hard to secure community support for the redevelopment
18 of Meadow Green Courts. Is that true?

19 MR. BROWN: Yes, sir, it is.

20 CHAIRMAN HOOD: Okay. All right.

21 MS. SIMMS: How do we define community?

22 COMMISSIONER SHAPIRO: Mr. Chair?

23 CHAIRMAN HOOD: Yes?

24 COMMISSIONER SHAPIRO: I think you're entering
25 into a little bit of dangerous territory around trying to

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1 make the case to these two folks who are pretty clearly not
2 in support. And I hear them.

3 CHAIRMAN HOOD: No, I wasn't trying to make the
4 case.

5 COMMISSIONER SHAPIRO: I just want to keep us
6 focused on the, what's the map amendment that's before us.

7 CHAIRMAN HOOD: So you know what I always try to
8 do because, and I appreciate that, Mr. Shapiro. But I always
9 try to help, everybody doesn't do zoning all the time. I
10 didn't come down here knowing zoning. Sometimes I question
11 it now and I've been here 20-some years so I always try to
12 take the time out.

13 Even though it might appear that we're going back
14 and forth, I'm just trying to help them because I don't want
15 their concerns to be short sighted. Because when I'm over
16 in that area and I'm in traffic or whatever, then I'm going
17 to be thinking about these, I think about these things at
18 night too, things that I approve or don't approve.

19 And I think, okay, well maybe we made a mistake
20 on this or maybe we didn't. So I think and like I said the
21 other night, I think when everyone's involved, whether it
22 goes their way or not, I think even their input makes a case
23 better.

24 I mean, opponents and proponents working together
25 even though you're not in support. I've always found that

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1 it makes a case better, that's just my opinion.

2 So I hear you, I will, I'm not trying to make the
3 case to them. They've already expressed what the adverse
4 impacts were, density, additional traffic, dump trucks. I
5 mean, the inconvenience. I've heard all that.

6 MS. MUHAMMAD: And they don't fall under any type
7 of category that's legit for you to --

8 CHAIRMAN HOOD: Maybe I'm not understanding, I'm
9 not understanding.

10 MS. MUHAMMAD: You really, okay --

11 CHAIRMAN HOOD: I'm really what?

12 MS. MUHAMMAD: You're really not. This is what
13 I'm trying, this is what I'm trying --

14 MS. SIMMS: Is there a criteria? Is there
15 identified criteria as to what the adverse impact means?

16 MS. MUHAMMAD: Where is the regulations, like if
17 you go to contest a ticket, you either admit it was guilt,
18 deny the infraction, or something like that. Like what are
19 the category because they're, our answer would fall under
20 what? I don't understand why you all don't have that already
21 ready?

22 CHAIRMAN HOOD: Okay, what's your, young lady?

23 MS. MUHAMMAD: Muhammad.

24 CHAIRMAN HOOD: No, okay, Ms. Muhammad. What's --

25 MS. SIMMS: Simms, Martina Simms.

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1 CHAIRMAN HOOD: Simms. I think you mentioned
2 about the Comp Plan. You talked about the density and some
3 other impacts. Let me go to the, we cannot be inconsistent
4 with Comp Plans so I'm going to ask the Office of Planning
5 to help me as far as the density and how this matches up with
6 the Comp Plan, how this is not inconsistent.

7 Maybe if we go that way which I've been advised,
8 maybe that'll help get us to the answer to your questions.

9 MS. MUHAMMAD: Okay.

10 MR. LAWSON: Sure. Happy to try to help. The
11 Comprehensive Plan is a document of course that covers the
12 entire District but it sets direction, planning direction for
13 the District as a whole and for individual parts of the
14 District.

15 The two major parts that come into play with any
16 kind of a map amendment are like this one, a proposed map
17 amendment, are the maps that are attached to the
18 Comprehensive Plan.

19 There's a future land use map, sometimes called
20 the FLUM, F-L-U-M, and then there's the policy map.

21 And those two maps provide a lot of guidance in
22 terms of what Counsel has set for being the overall land use
23 patterns and it takes into account both existing land use
24 patterns and anticipated land use patterns.

25 So it's not, the maps in the Comprehensive Plan

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1 aren't a snapshot of what's there right now. It's more kind
2 of a combination of a snapshot of what's there right now but
3 how it's anticipated to change over time and it tends to have
4 about a 20 year time frame.

5 And so the future land use map which is one of
6 those two maps within the Comprehensive Plan that's so
7 important, designates the site for moderate density
8 residential.

9 And moderate density residential ranges from
10 everything from kind of a row house form of development to
11 a low rise apartment type of development.

12 The Comprehensive Plan actually lists out the
13 zones that are consistent with that designation and both R-1-
14 A and RA-2, both the existing zone and the proposed zone are
15 listed as being consistent with that designation.

16 The other map that's kind of critical, probably
17 a little bit less critical for a map amendment case but it's
18 one that we certainly take into consideration, is the policy
19 map. And it's a much more generalized map.

20 It sets out specific direction for a few areas of
21 the city but much of the city, the direction it sets out is
22 very broad and it's intended to be used kind of in a
23 generalized way which is why it's called the generalized
24 policy map.

25 And on that map, this site is designated for

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1 something called neighborhood conservation area and that
2 simply means that any new development within that area is
3 anticipated to be consistent with kind of the general area
4 of the neighborhood, and that the density is established by
5 the future land use map.

6 So that's kind of the first map that I was talking
7 about, the future land use map, the designated, the site for
8 moderate density residential development.

9 So there's also a number of area elements that we
10 also looked at in our report and our report's available up
11 on the Office of Zoning website.

12 But we certainly look at the specific area
13 element. This is the far northeast and southeast area
14 element within the Comprehensive Plan and there are also a
15 number of chapters in the Comprehensive Plan that deal with
16 kind of broader issues, things like housing and the
17 environment and land use.

18 And so our report went through those in our
19 analysis of the proposal against the Comprehensive Plan. Our
20 recommendation was that the proposed rezoning from RA-1 to
21 RA-2 was not inconsistent with the Comprehensive Plan and
22 that it helped to further some aspects of the, some important
23 aspects of the Comprehensive Plan, particularly ones related
24 to the provision of new and improved housing, new housing for
25 new residents as well as improved housing for existing

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1 residents.

2 So as I said, our recommendation was that this map
3 amendment be approved. That, for a map amendment from our
4 standpoint, is really the main criteria that the zoning
5 commission uses in its determination of whether or not to
6 consider and then whether or not to approve or to deny a map
7 amendment.

8 CHAIRMAN HOOD: Okay.

9 MS. MUHAMMAD: That was just so much. How, okay,
10 do you --

11 CHAIRMAN HOOD: So here's what --

12 MS. MUHAMMAD: -- approve it? What are the legal
13 grounds to object? I'm trying to get the answer to my
14 question --

15 CHAIRMAN HOOD: Here's what I am going to do.

16 MS. MUHAMMAD: -- and you're not giving me --

17 CHAIRMAN HOOD: Here's what I am going to do. I
18 have been, I have extended our, I have done everything which
19 is totally out of our realm of what we are supposed to be
20 doing, period. I've far succeeded that.

21 So what I'm going to do, I've tried, Counsel has
22 helped me with Office of Planning trying to give you -- what
23 I would suggest, here's what I am going to suggest to you
24 because I'm going to cut this off and we're going to move
25 forward, I would suggest that you all have a conversation

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1 with your ANC as well as the Office of Planning and kind of
2 understand, what exactly what this is all about. Because
3 we're not going to get that tonight. We're not going to get
4 that.

5 MS. MUHAMMAD: Okay. So we're objecting on health
6 reasons.

7 CHAIRMAN HOOD: And I didn't want this --

8 MS. MUHAMMAD: We're objecting on health reasons,
9 that's one. Social health and the physical health with all
10 that dust. You, like the buildings that, that health reasons

11 CHAIRMAN HOOD: So just, here's the thing. I'm
12 going to give you one minute. Give me why you object and
13 then we'll move forward.

14 MS. MUHAMMAD: Yes, I asked you for the legal
15 grounds to object.

16 CHAIRMAN HOOD: It's not my job to --

17 MS. MUHAMMAD: You can provide those.

18 CHAIRMAN HOOD: Let me explain something to you --

19 MS. MUHAMMAD: Okay, health reason --

20 CHAIRMAN HOOD: Okay. You know what, we're out
21 of order. I'm going to have to cut this off. I mean, I'm
22 sorry. I'm going to have to cut this off. I've tried and
23 tried and tried.

24 MS. MUHAMMAD: You didn't.

25 CHAIRMAN HOOD: Yes, I did.

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1 MS. MUHAMMAD: But you --

2 CHAIRMAN HOOD: And I think the record will
3 reflect. It doesn't matter --

4 MS. MUHAMMAD: Okay. Well, health reasons is one
5 --

6 CHAIRMAN HOOD: In America -- no, no. You're out
7 of order. I'm going to --

8 MS. MUHAMMAD: But I'm not out of order.

9 CHAIRMAN HOOD: You are out of order. I'm going
10 to ask you now to turn your mic off. You're done for the
11 evening. Okay? All right.

12 Any other questions of this panel? Does the
13 Applicant have any questions of this panel?

14 MR. BROWN: No, Mr. Chair.

15 CHAIRMAN HOOD: Okay. Do we have anything else?
16 Does the ANC have any questions of this panel? Okay.

17 Since you stayed at the table, what I would like
18 for you to do is to have a conversation with Office of
19 Planning so you can understand exactly what's going on and
20 see if you want to take up avenues, you'll, this is America,
21 you open the door on that.

22 But let's hear what I, let's see what we decide.
23 I think for us, for me, this is pretty straightforward when
24 you look at all the analysis and you look at the record, the
25 merits of the case it's pretty straightforward.

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1 I did that to try to reconcile and hear you all's
2 concerns and see if there was a way that we can do this. I
3 would still ask you to still work with the two young ladies.

4 MR. GALLAGHER: May I make just a brief comment,
5 Mr. Chairman?

6 CHAIRMAN HOOD: Sure, sure.

7 MR. GALLAGHER: So we've been at this really since
8 2012 with quite a number of meetings including residents and
9 ANC and open houses for community.

10 The last time we get ready for this session,
11 flyer'd a lot of people. I'm not sure how far out it went,
12 inviting them to come in for a Q and A and I'm happy to
13 continue that conversation with you --

14 MS. SIMMS: So I'm not sure who passed out the
15 flyers or where they went to but I'm two streets over and I
16 didn't get a flyer. The only reason I know about this is
17 because I saw those public hearing signs.

18 CHAIRMAN HOOD: Okay. All right

19 (Simultaneous speaking.)

20 CHAIRMAN HOOD: I appreciate that. All right.
21 Anything else? All right. Ms. Schellin? Because I think,
22 I'm not sure where others are. Let me hear from others.
23 Commissioner Shapiro?

24 COMMISSIONER SHAPIRO: Thank you. Sure, this looks
25 fine to me. This does not seem, this map amendment does not

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1 seem inconsistent with the comprehensive plan. It does seem
2 consistent with the future land use map so I have no
3 objection. I'd be looking to support this.

4 CHAIRMAN HOOD: Okay. Any others? Mr. Turnbull?

5 COMMISSIONER TURNBULL: Thank you, Mr. Chair. I
6 think what's on, what's difficult at times is for some people
7 to realize that we're only doing a map amendment. We're not
8 getting involved with a specific project. We're not getting
9 involved what's happening in the future. That will happen
10 when it happens.

11 Right now it's just looking at the map amendment
12 however it relates to the Comprehensive Plan, the FLUM, and
13 the other policy map and that's really all that we have to
14 go on.

15 We're not looking at a specific project, per se.
16 We're looking at the impacts of what the zoning would do, any
17 change.

18 And as we've heard from the Office of Planning,
19 both those zones, either the current zone and the proposed
20 zone, are both in the moderate density range. So I would not
21 be opposed to voting for this.

22 CHAIRMAN HOOD: Okay. Vice Chair, do you have any
23 points?

24 VICE CHAIR MILLER: Thank you, Mr. Chairman. And
25 I just, I wanted to thank the petitioner for bringing forward

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1 a map amendment that is not inconsistent with the
2 Comprehensive Plan, both the land use map which specifically
3 says that the RA-2 zoning would not be inconsistent in
4 addition to the RA-1 existing zoning that's there, but there
5 are a number of other policy objectives in the Comprehensive
6 Plan and then both in the area elements that the Office of
7 Planning mentioned.

8 And so I appreciate the petitioner, I'm sorry that
9 everybody in the community wasn't aware of all the meetings
10 that occurred but there's clearly been a lot of community
11 engagement and with the ANC and with the residents
12 association that's there.

13 This is a very old, I assume kind of dilapidated
14 structure that needs to be renovated. I know you've probably
15 kept it in great shape but 1940 is a long time ago and the
16 residents there deserve new quality 21st century housing.

17 And the city needs to have that kind of quality
18 housing for our existing residents and frankly, we need
19 density all across the city to support the new residents that
20 are joining us and to support the redevelopment that is very
21 costly and especially if we're going to keep it at a low cost
22 housing for the existing residents there.

23 So this will be a, it does facilitate a mixed
24 income community with greater density where that's called for
25 and allowed for in the Comprehensive Plan and so I'm

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1 supportive of this map amendment moving forward, Mr.
2 Chairman.

3 CHAIRMAN HOOD: Okay. I don't think I need to
4 restate what my colleagues have already mentioned. I think
5 the record speaks for itself. I think the record's fluent
6 and I think the merits of this case provide for us to be able
7 to make this change.

8 While I was trying to work with one or two or
9 three people, I think it was two who were in opposition, I
10 was trying to work through that not necessarily giving them
11 support, just make sure they had a clear understanding of
12 exactly what was before us.

13 So I would encourage you to continue to keep
14 working to try to help them to understand because I don't
15 like to leave anybody and like people to have a comfort
16 level, even though they may not never agree but I like for
17 them to at least try to have a comfort level.

18 So with that and the discussions had, somebody
19 like to make a motion?

20 COMMISSIONER SHAPIRO: Mr. Chair, I will move
21 approval of the Zoning Commission Case Number 19-02,
22 Milestone East Capitol 2, LLC et al., Map Amendment Square
23 5411, Lot 802, Square 5412, Lot 801, Square 5413, Lot 802,
24 Square 5413 and Lot 801. Look for a second?

25 VICE CHAIR MILLER: I second.

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1 CHAIRMAN HOOD: Okay. It's been moved and
2 properly seconded. Any further discussion? All in favor?

3 (Chorus of Aye.)

4 CHAIRMAN HOOD: Any opposition? Not hearing any,
5 Ms. Schellin, would you please record the vote?

6 MS. SCHELLIN: Staff records the vote 4-0-1 to
7 approve proposed action in Zoning Commission Case Number 19-
8 02.

9 Commissioner Shapiro moving, Commissioner Miller
10 seconding. Commissioners Hood and Turnbull in support.
11 Commissioner May not present, not voting. And if we could
12 get a draft order from the Applicant by August 5th, we can
13 put this on for final action, actually if we could get that
14 draft order by the 29th, well actually the 5th is fine and
15 we'll put this on for final action on the 9th of September.

16 CHAIRMAN HOOD: Okay. Are we all on the same
17 page? Is anybody, any further questions, colleagues?
18 Anybody have anything that we need before then? Ms.
19 Schellin, is there anything else?

20 MS. SCHELLIN: No, sir.

21 CHAIRMAN HOOD: All right. I want to thank
22 everyone for their participation tonight and this hearing's
23 adjourned.

24 (Whereupon, the above-entitled matter went off the
25 record at 7:23 p.m.)

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In the matter of: Public Hearing

Before: DCZC

Date: 07-22-19

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