

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: :
 :
2100 2nd Street S.W., LLC : Case No.
 : 17-05B
-----:

Monday,
June 22, 2020

Video Teleconference

The Public Hearing of Case No. 17-05B by the District of Columbia Zoning Commission convened at 4:00 p.m., Anthony J. Hood, Chairman, presiding.

ZONING COMMISSION MEMBERS PRESENT:

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

OFFICE OF ZONING STAFF PRESENT:

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

OFFICE OF PLANNING STAFF PRESENT:

JOEL LAWSON
ELISA VITALE

The transcript constitutes the minutes from the Public Hearing held on June 22, 2020.

C O N T E N T S

I.	Preliminary Matters	5
	Sharon Schellin	
	A. Proffered Expert Witnesses	
	B. Motion for Waiver of Late Posting	
	Advanced Party Status	
II.	Modification of Significance	8
	Meghan Hottel-Cox	
III.	Report of the Office of Planning	26
	Elisa Vitale	
IV.	Report of Other Government Agencies	26
V.	Report of ANC 6D	27
	Gail Fast	

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

4:00 p.m.

1
2
3 CHAIRMAN HOOD: Good afternoon, ladies and
4 gentlemen. We are convening the broadcast of this public
5 hearing by video conferencing. My name is Anthony Hood.
6 Joining me this evening are Vice Chair Miller, Commissioner
7 Shapiro, Commissioner May, Commissioner Turnbull. Soon we'll
8 be joined by Office of Zoning Staff, Ms. Sharon Schellin, and
9 Mr. Paul Young, who is working all of our virtual operations.

10 I ask that all others will introduce themselves
11 at the appropriate time.

12 Copies of today's virtual public hearing notice
13 are available on the Office of Zoning's website. Please be
14 advised this proceeding is being recorded by a court
15 reporter, and is also webcast live, which includes WebEx and
16 YouTube Live. The video will be available on the Office of
17 Zoning's website after the hearing. Further, all listening
18 on the WebEx or by phone will be muted throughout the hearing
19 until the appropriate time.

20 Please state your name --

21 MR. YOUNG: Anthony, you've been muted. You've
22 been muted, you have to unmute.

23 CHAIRMAN HOOD: So, I'm not sure who muted me.
24 My hand is nowhere near it.

25 MR. YOUNG: It's only the last sentence, so you

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1 can pick up pretty much where you left off.

2 CHAIRMAN HOOD: All right, thank you. Please state
3 your name and home address before providing oral testimony
4 or your presentation. When you are finished speaking, please
5 mute your audio, maybe that's what it was about, please mute
6 your audio so that your microphone is no longer picking up
7 sound or background noise.

8 If you experience difficulty accessing WebEx or
9 with your telephone call in, then please call our OZ hotline
10 number at 202-727-5471, to sign up or to receive WebEx log
11 in or call in instructions.

12 All persons planning to testify, either in favor
13 or in opposition in our virtual hearings, we encourage you
14 to sign up in advance. At the time of sign up, all
15 participants complete the oath or affirmation required by
16 Subtitle Z408.7.

17 If you wish to file written testimony or
18 additional supporting documents during the hearing, then
19 please be prepared to describe and discuss it at any time in
20 your testimony.

21 The hearing will be conducted in accordance with
22 provisions of 11 ZCMR Chapter 4 as follows: preliminary
23 matters, Applicant's case, Report of the Office of Planning
24 and the Department of Transportation, Report of Other
25 government agencies, Report of the ANC, testimony or

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1 organizations, and individuals -- testimony of organizations
2 and individuals, each having five or three minutes, depending
3 upon whether it be an organization or individual.
4 Organizations five minutes, individuals three minutes. And
5 then, we'll have rebuttal and closing by the Applicant.

6 While the Commission reserves the right to change
7 the time limits on presentations if necessary, it intends to
8 adhere to the time limits as strictly as possible unless
9 there is no time set this evening.

10 Again, the OZ hotline for any issues is 202-727-
11 5471, 202-727-5471, any outstanding issues during this
12 meeting.

13 At this time, the Commission will consider any
14 preliminary matters. Does the staff have -- has Ms. Schellin
15 joined us? Does the staff have any preliminary matters?

16 MS. SCHELLIN: No, sir, sorry about that. I had
17 joined another meeting all by myself.

18 So, the only preliminary matters that I see are
19 proffered expert witnesses, and that would be Yulia
20 Beltikova, and she's been previously accepted, or he, I'm not
21 sure which. So, that would be the only preliminary matter.

22 CHAIRMAN HOOD: I'm sorry, Ms. Schellin. I had --
23 you know, when you are at home, and your phone rings, and
24 that was an important call. So, I had to do that. Could you
25 repeat that, please?

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1 MS. SCHELLIN: Yes. Just the proffered expert
2 witness, and that would be Yulia Beltikova, who has
3 previously been accepted. And, just as a reminder, this case
4 was continued from December 16, 2019. It was rescheduled for
5 April 6th, which because of the COVID-19 that hearing did not
6 happen. And so, we rescheduled it for today.

7 Other than that, I do not have -- there was a
8 motion for a waiver of the rules to accept the late posting,
9 that was -- it was seven days late, so that would be a
10 preliminary matter. It was posted May 20th, seven days late,
11 to discuss the Affidavit of Maintenance, which was not
12 notarized, but they did submit an affirmation of maintenance,
13 just to affirm that they did maintain the signs, they just
14 were not able to get it notarized.

15 CHAIRMAN HOOD: Okay. Let me see, are there any
16 objections to the late posting waiver? I'm looking, I don't
17 see any. Okay, so we are good.

18 MS. SCHELLIN: Okay.

19 CHAIRMAN HOOD: Okay.

20 MS. SCHELLIN: All right, and the lack of notary
21 on the maintenance affidavit, no problems with that.

22 CHAIRMAN HOOD: Any objections to the lack of
23 notary? Okay, I don't see any, so we have no objections.

24 MS. SCHELLIN: And, like I said, the proffered
25 expert in architecture previously accepted, and so other than

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1 that there are no preliminary matters. Just to also remind
2 the Commission, this case was delayed to allow the Commission
3 to consider some waterfront regulations, which was taken up
4 in I believe it was Case No. 20-01 if my memory proves
5 correct. And, that case will have final action sometime this
6 summer.

7 CHAIRMAN HOOD: Okay. Thank you, Ms. Schellin.
8 Again, Commissioners, we've already had Yulia Beltikova party
9 status. Any objections?

10 Okay, so she continues that status.

11 Anything else, Ms. Schellin?

12 MS. SCHELLIN: Other than the Applicant is
13 planning a 15 to 20-minute presentation, unless the
14 Commission would like something otherwise.

15 CHAIRMAN HOOD: Looking at the record, I don't
16 know, we may -- let me see what others think. I don't want
17 to -- 15 to 20 minutes, maybe ten minutes?

18 COMMISSIONER MAY: Yes, less is probably better.
19 I don't think we need to go into it in a lot of detail. We
20 did review materials previously in the other hearing. So,
21 we'd rather hear them make the case briefly.

22 CHAIRMAN HOOD: Right. I saw other heads nodding,
23 so with that concurrence, I would ask that you heard our very
24 brief discussion, I would ask that you have ten minutes and
25 hit the highlights, especially, of things that we wanted to

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1 see from last time, this time I think would be very
2 beneficial to us. So, with that, I will turn it over to Ms.
3 Hottel-Cox.

4 MS. HOTTEL-COX: Great, thank you.

5 Good afternoon, Commissioners. My name is Meghan
6 Hottel-Cox, and I along with my colleague, Christine Roddy,
7 are attorneys with the law firm of Goulston & Storrs.

8 We are asking for a Modification of Significance
9 to an approved design review project and related temporary
10 special exemption to allow WhyHotel, a pop-up hotel, to
11 operate at the project for a maximum of two years.

12 This application presents an important opportunity
13 to activate a large project in a lesser populated area during
14 the critical lease up period of the building.

15 The Riverfront project was initially approved in
16 2017 by the Commission, to facilitate the redevelopment of
17 the old Coast Guard Headquarters at Buzzard Point in
18 southwest D.C. The Commission then approved minor
19 modifications to the project plans in 2018, as a Modification
20 of Consequence. Finally, earlier this spring, the Commission
21 approved a Modification of Consequence to allow D.C. Central
22 Kitchen to come in to the ground floor.

23 All of these applications were supported by the
24 Office of Planning and the ANC.

25 The project is under construction and once

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1 completed it will include 480 residential units and
2 significant ground store retail, including restaurants and
3 a community serving market, in addition to D.C. Central
4 Kitchen. However, given the current isolation of the
5 project, the Applicant has concerns about creating the
6 vibrant environment that will attract residents and support
7 retail from the opening of the project.

8 Therefore, the Applicant has partnered with
9 WhyHotel to provide a temporary lodging use for,
10 approximately, 150 units at the property, for a maximum of
11 two years, to bring people to the property from opening day
12 to support the retail and residential communities.

13 This two-year interim use will allow the project
14 to move forward as intended to result in the high quality of
15 the pertinent retail building approved by the Commission.

16 Finally, we would note the Capital Gateway design
17 review of these provisions explicitly included lodging use
18 as an encouraged use in this area. So, we feel the interim
19 use furthers the purposes of the CD-5 Zone, as well as
20 support the project.

21 Because the existing building is located in the
22 100 year flood plain, we are also requesting a temporary
23 special exception for lodging use within the 100 year flood
24 plain, per the recent amendment to the Zoning Regulations.

25 The property's isolation means the project needs

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1 a way to immediately activate. WhyHotel is a temporary use
2 that will support the present residential and retail usage
3 that the Commission had already approved. And also, as I
4 noted, lodging is an encouraged use in this zone.

5 Additionally, this modification meets the special
6 exception requirements. The project underwent a detailed
7 flood proofing plan as part of this code modification, during
8 the project's initial permitting.

9 DOEE has filed a report supporting the lodging use
10 due to the flood proofing plans already approved for the
11 project, which will protect the occupants of the building.
12 DOEE conditioned their support on all of the lodging units
13 being located at or above the design flood elevation as the
14 residential units were. All of the lodging units are located
15 above this level, as they are on the fourth and fifth floors
16 of the building. And, therefore, the modification meets this
17 condition. We believe the temporary use will further the
18 purposes of designing regulations for these reasons.

19 I also wanted to touch on our community outreach.
20 We began discussing the modification with the ANC prior to
21 filing and continued after the ANC's meeting in December.
22 We greatly appreciate the ANC's time and energy spent meeting
23 with us about the project, so, of course, we were
24 disappointed we were unable to come to an agreement.

25 While the ANC said they did not object to the

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1 concept of the WhyHotel's use, they are pushing for benefits
2 to the community associated with the application.

3 While we understand as a design review case,
4 community benefits are not part of the Zoning Commission's
5 consideration, we want to be good neighbors with the
6 community, and therefore we have committed to two community
7 benefits that we will detail further in the presentation.

8 Even though the ANC is still in opposition to the
9 use, we are still committed to providing these benefits to
10 the community.

11 Finally, we are pleased to be here with the
12 support of the Office of Planning, and with OP's report
13 including comments from DDOT and DHCD, neither of which
14 objected to our modification application.

15 As I mentioned, DOEE also filed a report in
16 support, as did FEMS.

17 We greatly appreciate, especially, OP and DOEE's
18 time working through this project as a modification with us.

19 With that, we have two witnesses today. Tom
20 Wilbur, with Akridge will testify on behalf of the ownership
21 team. And, Jason Fudin will testify will testify on behalf
22 of WhyHotel. We also have Yulia Beltikova, the project
23 architect here, in case the Commission has any questions for
24 her.

25 So, with that I will turn it over to Tom.

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1 MR. YOUNG: I'm not seeing a Tom in here. Did you
2 call in using a phone?

3 MS. HOTTEL-COX: It seems he may have had some
4 difficulty joining, but I think we could go ahead and have
5 Jason Fudin with WhyHotel complete his portion of the
6 presentation.

7 MR. FUDIN: I'm happy to do that. Can you guys
8 hear me okay?

9 CHAIRMAN HOOD: We hear you fine.

10 MR. FUDIN: Hi. My name is Jason Fudin. I'm the
11 CEO and Co-Founder of WhyHotel. We are a D.C.-based hotel
12 company in Northeast, and we've been around for about three
13 years now. We've been working with Akridge on the Riverfront
14 Project and with the community, to see if we can't land one
15 of our buildings here.

16 I think there's a presentation, although I don't
17 know the best way to show it, so maybe I'll just give you
18 guys the quick high level, unless someone can help me out.

19 CHAIRMAN HOOD: Did you submit a presentation?

20 MS. HOTTEL-COX: And I submitted it to Paul
21 earlier this morning.

22 CHAIRMAN HOOD: There it is. He can do it.

23 MR. FUDIN: Thank you, Paul. I'll keep this very
24 brief as requested. So, if you just scroll down a couple
25 pages, yes, yes, keep going. Awesome. That's where we

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1 start.

2 So, the way WhyHotel works is, actually, pretty
3 straightforward, building delivered to River Point, and it
4 delivers empty and not activated.

5 And so, what we do is, we show up, we furnish the
6 100 or more units and we run a mix of short and long
7 furnished stays out of the vacancy. We do that with a 24/7
8 on site staff. Generally, that staff is hired directly from
9 the community, because those are the best ambassadors of the
10 neighborhood. And, we run all day-to-day operations of the
11 units that are in our crew that are furnished.

12 And then, as we leave the building, we return the
13 units in the same condition we got them brand new and ready
14 for the owner.

15 What that allows a group like Akridge to do is
16 bring instant activation to a site. And so, we pride
17 ourselves on, you know, immediately bringing in energy into
18 the building, with the guests from a lot of different groups
19 who do longer stays in the D.C. area with a lot of State
20 Department folks that are here for training, we would expect
21 folks from the National Defense University here.

22 We see temporary relocations, you know, someone
23 who is moving to the area that needs a place for a month, and
24 we see business-oriented feeds, on a kind of Monday to
25 Thursday business traveler. And, we see everyone who is

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1 traveling with children, where the D.C. hotel front doesn't
2 have multi bedrooms, so the ability to put your children in
3 a bedroom ends up being really valuable.

4 Our model is designed to support the development
5 of housing, and so we are only in units that are otherwise
6 empty. If they become leased, we leave, and we in all
7 situations are never in inclusionary zoning units.

8 And, as the building is filled with long-term
9 renters, we leave the building altogether. Our history in
10 D.C., we've run one other project here, you know, on K
11 Street, N.E. That building leased up very quickly. We were
12 there for only eight months.

13 In this region, we've done a couple in Arlington
14 County. We've done one in Fairfax County. We've done one
15 in the City of Baltimore. On average, we are in those
16 buildings somewhere between eight and 15 months. The reason
17 we ask for up to 24 months is in case leasing takes longer
18 if it's a larger building. But, our expectation would be to
19 be there for about 16 to 18 months.

20 In terms of what that means for the City, we end
21 up creating jobs. We don't have to do the presentation, I
22 think we are all right -- we end creating jobs, you know,
23 somewhere between a dozen and a dozen and a half. We also
24 end up creating a decent amount of hotel tax base on this
25 project, I'd expect it to be over a half a million dollars.

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1 And, yes, I mean and our goal is to be a part of
2 the community that we operate in. As I mentioned, we are
3 about a three-year old company. We are based in Northeast
4 D.C., and I'm happy to answer questions. I know you guys
5 have got the material in advance.

6 I guess Megan didn't run you through the community
7 benefits, we did meet with the ANC, had long conversations.
8 Actually, some of us used to be at PN Hoffman so they know
9 the ANC well, and have a ton of respect for them.

10 You know, what we are able to do as an operator
11 is things that fall under kind of WhyHotel's purview. And
12 so, one of those, we are offering all ANC 6D residents the
13 same discounts on room rates that we give our employees.
14 And, additionally, we are going to have a career day or two
15 to try to hire, you know, sponsored with the ANC, and try to
16 hire directly from the community.

17 We, actually, find that members of the community
18 tended to be the best team members for our projects, and then
19 the hope is that, you know, they continue to grow with us as
20 a company, as we open up more in the region.

21 I will -- I'll stop there and keep it short, but
22 if there's any questions I'm happy to answer them.

23 MS. HOTTEL-COX: Thanks, Jason, and then just
24 briefly. I did want to say a couple of things in response
25 to the ANC's report that they submitted in opposition. They

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1 noted that they didn't think the application was in concert
2 with the original project proposal that the ANC had supported
3 and the Zoning Commission had approved.

4 But, however, as Jason has testified, he believes
5 the WhyHotel use supports and furthers that original project
6 proposal, and it's only temporary. After the maximum of two
7 years, the WhyHotel operation would cease, and the project
8 would operate exactly as supported by the ANC and approved
9 by the Commission.

10 We feel, however, that temporary interim use for
11 up to, approximately, a third of the apartment units will
12 help realize that full vision of the original project.

13 We also disagree with the ANC's report that it
14 would be a benefit to the community, to deny the application,
15 because it might result in more vacancies of the project.
16 Given that the purpose of CG design review process, it's to
17 encourage activation at the Capital Gateway area. We don't
18 agree that long vacancies are a positive. We believe the
19 project's 480 residential units, significant retail
20 opportunities, improvements to the Anacostia River front, to
21 create the beginning of the River Walk Trail and the addition
22 of the temporary WhyHotel use will result in a project that
23 furthers the purpose of the Capital Gateway area.

24 That concludes our presentation, but as Jason
25 said, we are happy to answer any questions the Commission may

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1 have.

2 CHAIRMAN HOOD: Okay, thank you for you all's
3 presentation. Ms. Hottel-Cox, didn't you have somebody else
4 who was going to say something, or they were not able to
5 connect?

6 MS. HOTTEL-COX: He wasn't able to make
7 connection. He is listening on the phone, but he was just
8 going to give kind of a brief project update, which is,
9 essentially, that the project is under construction. It is
10 very close to completion, and we expect to open later this
11 -- the project expects to open later this summer.

12 CHAIRMAN HOOD: Okay, great. Thank you.

13 Let me see if my colleagues have any questions.
14 Let's go in our regular order. Commissioner May, any
15 questions or comments?

16 COMMISSIONER MAY: I do not have any questions.

17 CHAIRMAN HOOD: Commissioner Shapiro, do you have
18 any questions or comments?

19 COMMISSIONER SHAPIRO: I do. Thank you, Mr.
20 Chair, just a brief question for Ms. Hottel-Cox.

21 What is -- you may have mentioned this and I
22 missed it, but what is the developer projecting the
23 absorption rate to be, why two years, why not one year? I
24 mean, what's the plan here.

25 MS. HOTTEL-COX: In terms of leases?

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1 COMMISSIONER SHAPIRO: Yes. What is the projected
2 absorption rate?

3 MS. HOTTEL-COX: So, I don't have the exact
4 projected absorption rate. I think as Jason said --

5 MR. FUDIN: Meghan, I can jump in. They would
6 expect to fill the building in 15 to 18 months, and,
7 generally, we ask for a little bit longer, because you can't
8 control the velocity of the lease up. So, there's a natural
9 market absorption.

10 And, we have never gone the 24 months. I think
11 the longest it has evolved was 15 months, which was about a
12 400 unit building. But, all of our approvals in other
13 jurisdictions have been for 24 months, so that we have the
14 flexibility in case it takes longer.

15 COMMISSIONER SHAPIRO: Okay, thanks, that's what
16 I was looking for. Appreciate it.

17 CHAIRMAN HOOD: Okay. Commissioner Turnbull?

18 COMMISSIONER TURNBULL: I have no questions, Mr.
19 Chair.

20 CHAIRMAN HOOD: Okay. Vice Chair Miller?

21 VICE CHAIR MILLER: Thank you, Mr. Chair. I know
22 you don't really see, I've been having connection problems
23 all day.

24 I wonder if the -- thank you for your
25 presentation, I wonder if you could -- the Applicant could

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1 address the OP summary of the DHCD comment on page --

2 MR. YOUNG: We lost your sound again, Commissioner
3 Miller.

4 CHAIRMAN HOOD: Rob, we lost your sound. Is he
5 going to have to repeat all that?

6 COMMISSIONER TURNBULL: Rob, are you there? I
7 don't believe he can hear us.

8 MS. SCHELLIN: I'm going to text him.

9 MR. YOUNG: Yes, Rob, we lost your sound again.

10 CHAIRMAN HOOD: Rob, I can see you, so go ahead
11 and ask -- we can see you, so go ahead and ask your question,
12 and I think we can hear it. Go ahead and do it again.

13 VICE CHAIR MILLER: Give me just a minute. The
14 sound is not good. Give it a minute or two.

15 CHAIRMAN HOOD: Because if not, you can always
16 call me back. The sound is loud and clear through here.

17 VICE CHAIR MILLER: Okay.

18 CHAIRMAN HOOD: All right.

19 VICE CHAIR MILLER: Let me call you back.

20 CHAIRMAN HOOD: All right. Let's wait. Let's
21 just give it a minute or two until he's set and coming back
22 on.

23 VICE CHAIR MILLER: So, I don't know if you heard
24 my question, if the Applicant heard my question.

25 CHAIRMAN HOOD: No, I think you have to repeat it.

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1 VICE CHAIR MILLER: The question was quickly on
2 page five of the OP report summarizing DHCD's comment about
3 the inclusionary zoning unit, if you can respond to their
4 comment that they would welcome IZ units in addition to those
5 originally required, so that a greater measure of
6 affordability is retained as the market develops.

7 MS. HOTTEL-COX: I can briefly reply to that. You
8 know, in terms of DHCD's overall comments, you know, we have
9 agreed that the WhyHotel use will not impact the permanent
10 IZ units that are at the project. And, while we understand
11 DHCD's interested in all ways in increasing inclusionary
12 zoning units, for this project the project meets the
13 requirements of the Zoning Regulation, and, you know, we are
14 unable to increase the number.

15 VICE CHAIR MILLER: So, on that, there's eight
16 units being provided, and I think that's the penthouse space?

17 MS. HOTTEL--COX: Yes, that's correct.

18 VICE CHAIR MILLER: You are not subject to the
19 usual inclusionary zoning for the 485 units below.

20 MS. HOTTEL--COX: That's correct.

21 VICE CHAIR MILLER: And, why is that?

22 MS. HOTTEL--COX: It includes an office conversion
23 of the old Coast Guard Headquarters.

24 VICE CHAIR MILLER: Which I've asked OP to look
25 at to change, because that should absolutely be subject to

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1 the IZ. Are you willing at all to increase the inclusionary
2 zoning units in this 485 unit project beyond eight?

3 MS. HOTTEL--COX: At this point, you know, because
4 the project is so close to opening, and has been, you know,
5 through permitting, and is, you know, fully complete, we
6 wouldn't be able to change that at this time.

7 VICE CHAIR MILLER: Okay. Thank you for your
8 response.

9 CHAIRMAN HOOD: I understand what our requirement
10 is, but I would agree with you, Vice Chair. I hesitate, I
11 will continue to look at that in this final concept. I think
12 most of the time we can do what we can do. I believe we can
13 do that. I know we have this approval on it, but I think we
14 can do a little better on this.

15 All right. Any other questions or follow-up?

16 So, what was the percentage, this improvement you
17 mentioned that you were given to the ANC and, I guess, those
18 who live in that single member district, or within that ANC,
19 the discount rate?

20 MR. FUDIN: Yes. So, right now for our employees
21 it's between 15 and 20 percent off of the base rate.
22 Although, we're actually exploring doing a deeper discount
23 program, and so the reason we tied that to the employee rate
24 is because we felt like whatever we were willing to give our
25 team members we want to be able to give the same price cut

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1 to the neighborhood.

2 CHAIRMAN HOOD: Okay. I would like for you, we
3 know where you are in this process, but I think the Vice
4 Chair's comments may very well set with me, and I think that
5 he really brings up a great point. So, while you are looking
6 at the discount, look at those other things that you heard
7 the Vice Chair mention this evening.

8 MR. FUDIN: Understood. Because we are a partner
9 of Akridge now, it's not our building and, you know, we
10 didn't finance it, we don't really have control over the way
11 that they've financed and own the building outright. We just
12 get to come just like a retail tenant would, and they kind
13 of use them.

14 CHAIRMAN HOOD: All I'm asking you to do is just
15 look at it. I mean, you know, I'm not going to ask you
16 today, because we won't be voting on this today, I'm asking
17 you to look at it. I've seen some very creative ways of
18 things that happen down here, including Watergate. So, you
19 talk about affordable housing. I've seen that, I've seen
20 some creative things that have happened since I've been on
21 the Commission.

22 I will continue to support the Vice Chair on this.
23 I think, you know, I think there is a possibility, because
24 just they've got to assign the plots. So, let me just ask
25 this, Ms. Hottel-Cox. Commissioner Fast, I believe was

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1 coming on a little bit later. What did you think about -- did
2 you see her submission to us, Mr. Fudin, did you all see her
3 submission?

4 MR. FUDIN: Yes, I did, I read that submission.

5 MS. HOTTEL-COX: Yes.

6 CHAIRMAN HOOD: Can you just respond, you may
7 have, could you just respond again to some of the things that
8 they are mentioning in their letter to us.

9 MS. HOTTEL-COX: Sure, I can help you, kind of
10 reiterate some of the response. Yes, we appreciate the ANC's
11 time, and, you know, working with them on the project. They
12 were asking, you know, throughout about some kind of increase
13 in community benefits, related to the modification.

14 But, of course, this is a bit of a design review
15 page, you know, that wasn't part of the modification. But,
16 we did agree to those two things that Jason talked about,
17 both the career day to try and really focus on employing
18 individuals for the WhyHotel use from outside -- or from
19 within ANC 6D, as well as the discount rate to all the
20 residents of ANC 6D.

21 And then, of course, you know, she talked about
22 the ANC's wish for additional affordable housing, and, you
23 know, potentially, somehow I think in her testimony mentioned
24 relating that in some way to the WhyHotel units as they went
25 offline. I wasn't exactly sure what the idea was, I would

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1 just, you know, reiterate that due to where the project is
2 at this point we are not, you know, able to commit to
3 additional affordable housing. Related to the lodging use,
4 that is temporary, and that, you know, we believe will just
5 help activate the site.

6 CHAIRMAN HOOD: So, let me make sure I understand,
7 and then we'll move on.

8 The rationale behind the discount, even though I
9 know this is not a PUD application, but the rationale was to
10 try to offset and kind of give some type of amenity. Is that
11 what I'm hearing?

12 MS. HOTTEL-COX: Yes.

13 CHAIRMAN HOOD: All right. Any other questions?
14 Go ahead.

15 MR. FUDIN: One other thing that Commissioner
16 Miller brought up that I think is probably worth addressing.
17 She mentioned that hotels, because of the Corona virus are
18 having a hard enough time, and so why would you allow
19 WhyHotel use?

20 And, I would just say to that, you know, we are
21 a D.C.-based company, unlike, you know, the majority or
22 almost every hotel in D.C., we are a D.C.-based small
23 business. Me and my co-founder live in the District with our
24 homes. We won't be selling our company. And, I'd say if the
25 City wants to support any hotel business, I would assume they

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1 would want to support one that's been grown in its backyard,
2 that has pushed out nationally, but this is our home.

3 CHAIRMAN HOOD: Okay. Any other questions? Not
4 seeing -- okay, Ms. Schellin, I'm trying to remember, I
5 haven't been away that long, does the ANC get to cross in a
6 design case?

7 MS. SCHELLIN: Yes.

8 CHAIRMAN HOOD: They do? Okay. I guess I
9 remember some things.

10 Commissioner Fast?

11 COMMISSIONER FAST: Yes, hi, thank you.

12 CHAIRMAN HOOD: Do you have any cross examination?

13 COMMISSIONER FAST: I have not, necessarily, a
14 question, but I think I'd like to get a clarification,
15 because I believe that Ms. Hottel-Cox misrepresented the
16 discussion that we had with the developed of the WhyHotel and
17 her office.

18 CHAIRMAN HOOD: So, Commissioner Fast, what I
19 would suggest is to ask questions. You will have -- you are
20 going to have ample time to follow up on anything that you
21 think was misstated. You'll be able to restate it. You'll
22 have more time when we get to your report.

23 But, right now, it's for cross examine, you might
24 want to ask -- if you ask it in a question I get it, but if
25 not we can hear it in your presentation.

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1 COMMISSIONER FAST: Okay, I'll wait for the
2 presentation.

3 CHAIRMAN HOOD: Okay.

4 COMMISSIONER FAST: And, I'll address it then.
5 Thank you. So, I have no questions at this point.

6 CHAIRMAN HOOD: Okay. Thank you.

7 Let's go to the Office of Planning and the
8 District Department of Transportation.

9 MS. VITALE: Good afternoon, Mr. Chair, and
10 members of the Commission, Elisa Vitale with the Office of
11 Planning.

12 OP is recommending approval of the requested
13 Modification of Significance and special exception to allow
14 a temporary lodging use at River Point. OP does recommend
15 a two-year time limit on the approval of the temporary use.

16 With that, I'll conclude my report, and I'd be
17 happy to answer any questions.

18 CHAIRMAN HOOD: Okay, thank you, Ms. Vitale. Do
19 we have anybody here from DDOT? All right. So, let's go to
20 other government reports. I'm sure we all saw, and I think
21 it was mentioned by -- oh, I'm sorry, Vice Chair Miller?

22 VICE CHAIR MILLER: Mr. Chairman, I was going to
23 ask Ms. Vitale, where are we with proposing IZ applicability
24 to office conversions to residential? Is that in our IZ Plus
25 hearing, or is that a separate case?

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1 MS. VITALE: I don't believe that's part of the
2 IZ Plus discussion, but it is something we certainly heard
3 your comments on this afternoon, and can bring this issue
4 back to the staff at OP that are working on the IZ program,
5 and raise this with them.

6 CHAIRMAN HOOD: Okay. All right, thank you.
7 Other government reports. As stated earlier, we did have a
8 report, Exhibit 26, from the Department of Energy and the
9 Environment, and it was from, I believe, the Director, Mr.
10 Wells. And, he goes on to talk about conversations on the
11 flood plain on the submission, there's some differing
12 conditions behind it. So, I think that's in the record. We
13 also have -- I think that -- yes, that was it.

14 MS. VITALE: There was one from DHCD at Exhibit
15 19.

16 CHAIRMAN HOOD: Okay. Exhibit 19?

17 MS. VITALE: Yes.

18 CHAIRMAN HOOD: All right. Okay. So, we did have
19 something, but I think our Vice Chair had spoke -- I think
20 he spoke about that, Exhibit 19.

21 Anyway, any other reports that I may be missing?
22 All right, not seeing any.

23 Let's go to the ANC, let's go to Commissioner
24 Fast.

25 COMMISSIONER FAST: Thank you. Good afternoon,

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1 Chairman Hood, and Zoning Commissioners. I'm Gail Fast,
2 Chair of ANC-6D, representing southwest Navy Yard and Buzzard
3 Point.

4 At a regularly scheduled and properly noticed
5 public meeting on December 9, 2019, with a quorum present,
6 the quorum being four commissioners, Advisory Neighborhood
7 Commission, ANC-6D voted 6-0-1 to oppose the zoning case, No.
8 17-05B, Modification of Significance, order No. 17-05 and 17-
9 05A for 2100 1st Street, S.W., Square 613, Lot 10. And,
10 voted 6-0-1 to authorize me to speak today.

11 As we stated in our report, ANC-6D believes that
12 this Modification of Significance should be denied, because
13 the Applicant has not sufficiently demonstrated that the
14 change is in concert with the original concept that's been
15 put forth and subsequently approved by both this ANC and the
16 D.C. Zoning Commission for a rental apartment building.

17 In both their Statement of Support and pre-hearing
18 submission, the Applicant submitted to both the Zoning
19 Commission and ANC 6-D, and they described their project
20 thusly.

21 The residential component anchors the site and is
22 thoughtfully planned its future residents in mind. The upper
23 floors in the building are designed to capture the views of
24 the Anacostia River to the South, and the planned stadium to
25 the north of the property, as well as other monumental views

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1 in the vicinity of the building.

2 The rooftop is designed to provide a respite for
3 residents, complete with a pool and pool terrace, as well as
4 a roof terrace facing the Anacostia River. The building is
5 designed with multiple courtyards, as well as to provide open
6 spaces and views. In all, the residential building will
7 provide spaces that appeal to a range of tenants and provide
8 the opportunity for passive recreation.

9 As ANC-6D wrote in our report, this is not just
10 any apartment building. The Applicant is constructing 485
11 units of market-rate housing located on, arguably, the most
12 beautifully situated, and valued piece of property on the
13 Anacostia River. And, of those 485 market-rate units only
14 eight, a count of eight of those will be affordable.

15 In a city where every single elected official
16 loudly laments the lack of affordable housing, in a city
17 where our own comprehensive plan establishes the basic
18 premise that the city must grow more inclusively to achieve
19 its full potential. In a city where our Mayor launched her
20 second inaugural address embracing her strong commitment to
21 housing equity and affordability, eight affordable units out
22 of 485 market-rate units, is beyond a disgrace.

23 As was noted, the District Department of Housing
24 and Community Development also recognized that the Applicant
25 was using a temporary lodging as a means, and I quote from

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1 their report, to establish a higher rent market where one
2 does not exist.

3 They requested, as Vice Chair Miller indicated,
4 that the Applicant provide additional IZ units, so that a
5 greater measure of affordability would be retained. That's
6 also in the Office of Planning's report that was dated on
7 March 27, 2020.

8 Now this Applicant has asked for a Modification
9 of Significance as a hardship. Really? What is the
10 significant, what is of significance is that this Applicant
11 has already been significantly advantaged by their ability
12 to construct by matter of right. No PUD was required here.
13 Had it been, this would have been a very different project.

14 In addition, they and their investors are further
15 advantaged by being in an opportunity zone, which under
16 DMPED's own priorities for investments to require delivery
17 a new neighborhood serving amenities such as retail and fresh
18 food grocers. Provision of investment capital and growth
19 opportunities for D.C. small businesses, particularly, those
20 led by under-represented entrepreneurs, creation of jobs for
21 D.C. residents, and pathways to the middle class, and
22 increasing affordability and workforce housing.

23 While I believe that the ANC has established that
24 eight out of 485 warrants an increase to either affordable
25 or workforce housing. It's strange federally that either

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1 Akridge or any of their partners for this project are
2 struggling entrepreneurs, nor designates them that the
3 largest retail tenant promises to build the City's fanciest
4 fish restaurant, not exactly a neighborhood-serving amenity,
5 and already owns a chain of great restaurants and is the
6 region's largest fish purveyor, and sits on the board of
7 EagleBank, is an under represented entrepreneur.

8 Moreover, the addition of 100 units of luxury
9 hotel, even with the friends and families discount, is not
10 a neighborhood-serving amenity that is in any way required.
11 We already have 15 new hotels located within the boundaries
12 of our ANC, more than enough to meet our community needs.
13 And, let's get real here. While we are navigating through
14 the COVID-19 pandemic, it should be recognized that on a City
15 level there are many hotels that are struggling and need
16 help, and they have properties that are still vacant. To whom
17 do we owe allegiance? Those who sweat and struggle, are in
18 jeopardy, whose workers may not have jobs to come back to.

19 ANC-6D has no quarrel with the WhyHotel concept.
20 However, by allowing the Applicant to put a hotel on site,
21 regardless of the fact that it is temporary, which was at the
22 ANC's specific insistence, it simply lowers the availability
23 of apartment units in the building, and will keep rental
24 prices of the remaining units artificially high. This,
25 certainly, will do nothing to either increase either

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1 affordable or workforce housing.

2 While the Applicant claims that the addition of
3 the WhyHotel will help them ease the pain of leasing of 485
4 units of market-rate housing, it seems to ANC-6D that this
5 additional benefit to them provides absolutely no benefit to
6 the wider community, and is alone sufficient reason for the
7 Applicant's request be denied.

8 And, one further point, if I may. Should the
9 Modification of Significance be granted, and we hope that it
10 will not be, ANC-6D strongly believes that is time that they
11 put their money where their mouth is. If the Applicant wants
12 to specifically, change the project that they've originally
13 proposed, then they must be required to make significant
14 changes to the benefits they provide to the wider community.

15 ANC-6D humbly proposes that should this request
16 go forward the Applicant be required to provide a healthy
17 percentage of their vacated hotel units to be either made
18 available for workforce housing, so at long last Applicant's
19 own description of a building that will provide a range of
20 tenants will come to pass. This concludes our testimony, and
21 I look forward to answering your questions.

22 CHAIRMAN HOOD: Thank you very much, Chairperson
23 Fast, I really appreciate your comments and some of the
24 testimony you provided. When I listen to it, I will tell you
25 that I agree with just about all your comments. I think

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1 there are ways to do it, but also being a Commissioner I've
2 also figured that I have some Regulations I have to go by.

3 So, you heard the Vice Chair and myself have to
4 ask, sometimes design review we can't insert a base, as you
5 already know, we can go on with a PUD because what I'm
6 hearing you say I will tell you mostly, and I will say
7 probably 95 percent of it I would like to see as well.

8 But, I also on the other side, now I won't
9 contradict myself, on the other side this Commission, we have
10 rules in place on how to proceed, which leads me to my first
11 question. Well, maybe I should go in order. Well, let me
12 go.

13 The discount rate for the community, even though
14 that's not, necessarily, germane to this process, would you
15 count that as a plus for the neighborhood, or will your last
16 statement supersede even the discount that they are working
17 with you all on. Did you understand my question?

18 COMMISSIONER FAST: I do understand your question.
19 So, when we met with the WhyHotel and Akridge, as I mentioned
20 in my testimony, the request and the Applicant in as far as
21 we are concerned with this acreage. This is, they are
22 bringing in the WhyHotel to help them ramp up and, you know,
23 get tenants in their building.

24 In talking with Jason and others, we asked, you
25 know, what you could do for the community, because we don't

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1 see anything coming out of Akridge. Obviously, the IZ units
2 and the number of them is disproportionate and it's really
3 in essence a joke.

4 So, Jason did come back with the discounts. To
5 be honest, the initial discount that they were coming -- I
6 think he talked about it, 10 to 15 percent, based on what
7 they currently charge, would not be affordable to anyone in
8 ANC-6D, or to a limited number, especially, around the
9 community that this building will be built around. Lower
10 southwest is technically and traditionally a more lower
11 economic social cultural environment. They would not be able
12 to afford to have family and friends stay at the WhyHotel.
13 So, while it was a very nice gesture, it has absolutely no
14 bearing on the wider community and assisting the wider
15 community.

16 The workforce piece, obviously, any time that
17 anyone local can hire locally we are all for that. But, that
18 seems minimal compared to the 485 units that will be market
19 rate that Akridge will benefit from. It doesn't seem -- the
20 few folks that they'll be able to hire at the hotel just seem
21 to equate to much of a community benefit.

22 Does that answer your question?

23 CHAIRMAN HOOD: Yes, you've answered my question
24 very well, which leads me to more questions. But, I know
25 Akridge, and I know some things they may control, but I

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1 really appreciate your comments.

2 And, I'm sitting here thinking of how in a design
3 review case do I -- can get to those comments. What I can
4 do is ask, and I think Chairperson Fast brought up a good
5 point.

6 Ms. Hottel-Cox, I know that you all are talking
7 about discounts. But, her point is valid. However they say
8 affordable, and affordable to who. So, sticking in about
9 affordable housing, it is really not affordable to some of
10 us, including myself.

11 So, why don't we continue and look at that, even
12 though I know that's not a proper, I know that's not anything
13 you can do in a design, but let's try to get there.

14 Invariably, the Chairperson has said about
15 something, and even if you just have a few units for somebody
16 to be able to get a discount. I'm going to leave that up to
17 you all to try to think, because I don't want to interfere
18 with what the ANC is doing, but I think that's a good
19 gesture. And, I'm sorry the acreage, hopefully, they are
20 listening, too, and they can become a good gesture and a good
21 neighbor as well.

22 So, that's where I am on that. I don't think this
23 ask is asking too much of what some of these companies are
24 benefitting from, and I'm not putting it all on you Mr.
25 Fudin, but I would just ask continue to work. You heard

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1 Chairperson Fast talk about the affordability for the folks
2 in the neighborhood. That's who these things should benefit,
3 even though I know that it's a nice gesture, but if you are
4 going to put the gesture, let's put it where it's reachable.

5 That's just my two cents, well, it's a little more
6 than that, but I think that's very important. So, let me
7 open it up.

8 Commissioner May, do you have any questions?

9 COMMISSIONER MAY: I do not. Thank you.

10 CHAIRMAN HOOD: Okay. Commissioner Shapiro, do
11 you have any questions, comments?

12 COMMISSIONER SHAPIRO: No questions from the
13 Commissioner, Mr. Chair, thank you.

14 CHAIRMAN HOOD: Okay. Commissioner Turnbull.

15 COMMISSIONER TURNBULL: No comments, but I would
16 totally agree with your comments and the Vice Chair's
17 comments.

18 CHAIRMAN HOOD: Okay. All right.

19 Vice Chair Miller?

20 VICE CHAIR MILLER: I would totally agree with my
21 comments, and Commissioner Fast's comments. Thank you. And,
22 I ask OP -- am I still on?

23 CHAIRMAN HOOD: Yes, you are still on.

24 VICE CHAIR MILLER: I would ask OP to look at
25 adding to the IZ project case office conversion to

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1 residential, or getting a new case.

2 There's no reason why IZ should not apply to a new
3 -- to a 485 unit residential development. It is disgraceful.

4 CHAIRMAN HOOD: So, Chairperson Fast, thank you for
5 your comments, well thought-out comments. Thank you for how
6 you represent your neighborhood. I think you just did a very
7 well job, especially, from the testimony I heard here today.

8 COMMISSIONER FAST: Thank you, Chairman Hood.

9 CHAIRMAN HOOD: But, I will leave it -- Chairperson
10 Fast, I will leave it to you, Mr. Fudin, for you all to
11 continue to work out -- with the tool that we have continue
12 to work out exactly some of your promises and see how far we
13 can go and what can be done. I'll leave it to you. Okay.
14 Ms. Schellin, do we have anybody signed up to testify in
15 support?

16 MS. SCHELLIN: No, sir.

17 CHAIRMAN HOOD: Nobody is signed up?

18 MS. SCHELLIN: No, sir.

19 CHAIRMAN HOOD: All right. So, Ms. Hottel-Cox,
20 do you have any rebuttal, any closing?

21 MS. HOTTEL-COX: No. We appreciate the
22 Commission's conversation, and we can, you know, discuss the
23 discount rate and look at that, and just to reiterate,
24 because we do think the career day benefit that WhyHotel has
25 agreed to is a significant benefit to the ANC to really try

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1 and look at and focus hiring for the employees for WhyHotel
2 that would be at River Point that could be from ANC-6D.

3 So, since the conversation had been more around
4 the discount, I just wanted to reiterate that, because I do
5 think that's an important and a meaningful amenity to the
6 community.

7 CHAIRMAN HOOD: So, Ms. Hottel-Cox, the career day
8 will be beneficial if there's some out talks. Just to have
9 a -- and I can tell you I know some folks in this City that
10 just had a career day. And, they come down to the Zoning
11 Commission and say we had a career day, and guess who got
12 hired. Nobody, or somebody from West Virginia, and nothing
13 against West Virginia, because I may need to go up there to
14 work. But, I'm just saying, it's beneficial and advantageous
15 when people who, actually, have results that impact the
16 neighbors. I just wanted to say that for your career day.

17 COMMISSIONER FAST: Thank you.

18 CHAIRMAN HOOD: And, I'm sure that you all want
19 to do it.

20 COMMISSIONER FAST: Thank you.

21 MR. FUDIN: Commissioner Hood, just for the
22 record, Baltimore City has now had over 50 percent of all our
23 employees came from the City of Baltimore. We take it very
24 seriously to hire from the communities that we operate in.

25 I hear you, and that is an important part of our

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1 town acquisition process. In fact, it's something that we do
2 regardless, is we focus particularly on the neighborhood and
3 community to hire from within, because we think it's critical
4 that they have a voice and they have a place in our company.

5 CHAIRMAN HOOD: So, you are saying that Baltimore
6 City, a project that you had in Baltimore City, most of the
7 folks who were hired come from Baltimore City.

8 MR. FUDIN: Correct, it was over 50 percent of all
9 of our employees are Baltimore City residents.

10 CHAIRMAN HOOD: You know I have a way to check
11 that, not that I don't believe you, but I do have a way to
12 check it.

13 MR. FUDIN: I'm happy to send you the information
14 if you'd like.

15 CHAIRMAN HOOD: Okay. All right. All right,
16 thank you. We listened to your reports and good progress.

17 Commissioners, any other questions or comments?
18 Commissioner Shapiro?

19 COMMISSIONER SHAPIRO: Thank you, Mr. Chair.

20 Yes, a comment. One way that -- if this
21 modification were granted, one way that it, actually, could
22 have a negative impact would be if it is accurate that the
23 absorption rate, in other words, they will be pretty much
24 fully tenanted up within 15 to 18 months.

25 If, for whatever reason, it turns out, and we

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1 grant them a two-year agreement on this, and it is possible
2 that since they are making good money off of a deal with the
3 WhyHotel, it's possible that they could continue the model
4 beyond what would normally be the absorption rate, the point
5 at which they are fully tenanted.

6 So, one thing that I would suggest, if we are to
7 consider this, if we do grant this, get to that point, that
8 I don't think, based on the absorption rate, that we should
9 grant this for two years, because that could have a negative
10 impact on the supply of housing.

11 CHAIRMAN HOOD: Okay.

12 COMMISSIONER SHAPIRO: I didn't hear any comments
13 from Ms. Hottel-Cox, but that is my view based upon what I've
14 heard.

15 CHAIRMAN HOOD: Okay.

16 MR. FUDIN: I'm happy to provide context on the
17 economic component from the developer if that's helpful.

18 CHAIRMAN HOOD: That may be very helpful and
19 beneficial as we get ready to deliberate but I'll leave it
20 up to Commissioner Shapiro.

21 COMMISSIONER SHAPIRO: If there's a case to be
22 made for why this should be set at two years rather than 18
23 month max, yes, you can feel free to make it.

24 MR. FUDIN: So, I would say, the reason we asked
25 for two years versus 18 months is because we don't want to

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1 have to come back to the Commission and say, hey, we don't
2 want to have to go through the whole process and the
3 rigmarole.

4 In terms of the benefits to the developer,
5 frankly, they make more money from an apartment renter than
6 they make from us, so it is -- while there's an income stream
7 from it it is always less than they make from just regular
8 residential rent first.

9 And then secondly, the building is valued based
10 on the people who will maintain the building, which trades
11 at higher multiples, but even if we were paying them the same
12 as a renter, which we don't, they would still -- it would
13 still be advantageous when they have renters, because renters
14 are more valuable cash.

15 So, our only goal in pop-ups is to make use of
16 empty, it's better than nothing. It is not to do better than
17 what the developer would receive from a regular residential
18 tenant.

19 MS. HOTTEL-COX: And, just to confirm on something
20 you had mentioned earlier, Jason. I don't think on any of
21 your projects you've gone the full two years, specifically,
22 due to what you are saying. It is more advantageous for the
23 developer to move the units to rental units once they are
24 ready to be rented, rather than to continue with WhyHotel.

25 MR. FUDIN: That's correct. The longest we've gone

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1 has been 15 months in the City of Baltimore. I'm sorry, and
2 every approval we've gotten to date has been between 24 and
3 36 months across D.C. Zoning Administrator, Arlington,
4 Fairfax, City of Baltimore, City of Atlanta, Seattle and
5 Houston.

6 COMMISSIONER SHAPIRO: So, every agreement has been
7 24 to 36 months, and what's the longest contract you've had?

8 MR. FUDIN: 15 months.

9 COMMISSIONER SHAPIRO: Okay, thank you.

10 Thank you, Mr. Chair.

11 CHAIRMAN HOOD: All right, thank you.

12 Any other final questions or comments? Not seeing
13 any. Ms. Hottel-Cox, are you finished with your closing, or
14 you already did.

15 MS. HOTTEL--COX: Yes, we did.

16 CHAIRMAN HOOD: Okay. You did.

17 All right. So, Commissioners, anything else? Ms.
18 Schellin, is everything in order? Okay.

19 Lee me read my closing statement.

20 MS. SCHELLIN: I'll just --

21 CHAIRMAN HOOD: If this doesn't apply, something
22 is wrong here, then we'll straighten it out after I finish
23 reading. I'm not going to adjourn, I just want to make sure,
24 Ms. Hottel-Cox, all this is still new.

25 We wish to thank you for your testimony and

1 assistance in this hearing. The record in this case is
2 closed except for information, specifically, requested by the
3 Commission, which must be filed as indicated by the 2nd.

4 The Commission will make a decision in this case
5 at one of its regular monthly meetings following the closing
6 of the record.

7 If any individual is interested in following this
8 case, please look on our website, or you can contact the
9 Office of Zoning.

10 Ms. Schellin, did I leave anything out?

11 MS. SCHELLIN: No, sir. There was just -- I think
12 there was just a couple things that the Commission wanted
13 them to respond to, or elaborate on.

14 So, Ms. Hottel-Cox, do you want to provide that
15 in say two weeks, because this will not come up until the
16 last meeting in July.

17 MS. HOTTEL--COX: Sure, we can do two weeks or the
18 earliest we have, so that would be by July 6th.

19 MS. SCHELLIN: It would be by July 6th, yes, and
20 the ANC, I don't know if Ms. Fast is still listening, but
21 they would have one week after that, which would be July
22 13th, to provide a response if they choose to do so, as well
23 as the Office of Planning and DOEE, if they want to provide
24 a response, they would also have until the 13th, 3:00 p.m.,
25 for all uploads. And then, we'll put this on for 4:00 p.m.,

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1 on July 27th.

2 MS. HOTTEL--COX: Sharon, is it possible we could
3 have until July 14th? July 13th is our actual regularly-
4 scheduled public meeting.

5 MS. SCHELLIN: Sure, absolutely.

6 MS. HOTTEL--COX: And, if there's any rebuttal we
7 would want to vote on it to submit.

8 MS. SCHELLIN: Sure, July 14th, 3:00 p.m.

9 COMMISSIONER FAST: Thank you.

10 CHAIRMAN HOOD: Is everything in order, Ms.
11 Schellin?

12 MS. SCHELLIN: Yes.

13 CHAIRMAN HOOD: I just want to remind everyone who
14 may be missing tonight, tomorrow night we have a case, Zoning
15 Commission Case No. 19-7, which is McAleavy MLK LLC, and 3715
16 MLK LLC, McAleavy, at Square 3703, 3705, 3707, 3715 on Martin
17 Luther King Jr. Avenue, S.E., Square 67, lots 50, 51, 52 and
18 48, and that will start at 4:00 in the afternoon.

19 So, with that, I want to thank everyone for their
20 participation in this hearing -- this portion of this hearing
21 tonight -- or this afternoon, and with that this hearing is
22 adjourned. We'll see everybody tomorrow.

23 (Whereupon, the above-entitled matter went off the
24 record at 4:58 p.m.)

25