

GOVERNMENT  
OF  
THE DISTRICT OF COLUMBIA

+ + + + +

ZONING COMMISSION

+ + + + +

PUBLIC HEARING

+ + + + +

THURSDAY

APRIL 22, 2021

+ + + + +

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 IN THE MATTER OF: :  
 :  
 LDP Acquisitions, LLC and 525 : Case No.  
 Rhode Island Avenue, LP - : 20-23  
 Zoning Map Amendment at Square:  
 3623 and Parcels 131/94, :  
 131/146, 131/147, 131/155, :  
 131/161, 131/162 and 131/217 :  
 ----- :

Thursday,  
April 22, 2021

Video Teleconference

The Public Meeting of Case No. 20-23, by the District of Columbia Zoning Commission convened at at 4:00 p.m. EDT, Anthony J. Hood, Chairperson, presiding.

ZONING COMMISSION MEMBERS PRESENT:

- ANTHONY J. HOOD, Chairperson
- ROBERT MILLER, Vice-Chair
- PETER SHAPIRO, Board Member
- MICHAEL TURNBULL, Board Member
- PETER G. MAY, Board Member

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OFFICE OF ZONING STAFF PRESENT:

SHARON SCHELLIN, Secretary  
PAUL YOUNG, Zoning Data Specialist

D.C. OFFICE OF THE ATTORNEY GENERAL PRESENT:

UNIDENTIFIED, Esquire

The transcript constitutes the minutes from the  
Regular Public Hearing held on April 22, 2021

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T-A-B-L-E O-F C-O-N-T-E-N-T-S

Case No. 20-23 - Application of LDP Acquisitions, LLC at 525  
 Rhode Island Avenue, LP Map Amendment at Square 3623 and  
 Parcels 131/94, 131,146, 131/147, 131/155, 131/161, and  
 131/162, and 131/217 . . . . . 4

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

2 (4:00 p.m.)

3 CHAIRPERSON HOOD: Good afternoon, ladies and gentlemen.  
4 We are convening and broadcasting this public hearing by  
5 videoconferencing. My name is Anthony Hood and I am joined by  
6 Vice Chair Miller, Commissioner Shapiro, Commissioner May and  
7 Commissioner Turnbull. We're also joined by the Office of Zoning  
8 Staff, Ms. Sharon Schellin, our secretary and Mr. Paul Young who  
9 will be handling all of our virtual operations.

10 I will ask all others to introduce themselves at the  
11 appropriate time. Our first case for tonight is Zoning Commission  
12 Case No. 20-23rd. Twenty-three. I'm sorry, 20-23. Today's date  
13 is April the 22nd, 2021. The Zoning Commission Case No. 20-23 is  
14 the LDP Acquisitions, LLC at 525 Rhode Island Avenue, LP Map  
15 Amendment at Square 3623 and Parcels 131/94, 131/146, 131/147,  
16 131/155, 131/161, and 131/162, and 131/217 is the caption.

17 This applicant proposes to resume the property  
18 consisting of approximately 122,631 square feet from the current  
19 PDR-2 to MU-10 zone. The virtual public hearing notice is  
20 available on the Office of Zoning's website. This proceeding is  
21 being recorded by a court reporter and the platforms used are  
22 webcast live, Webex and YouTube Live.

23 The video will be available on the Office of Zoning's  
24 website after the hearing. All persons planning to testify should

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1 have signed up in advance and will be called by name at the  
2 appropriate time. At the time of sign-up, all participants will  
3 complete the oath or affirmation required by Subtitle Z 408.7.  
4 Accordingly, all those listening on Webex or by phone will be  
5 muted during the hearing and only those who have signed up to  
6 participate to testify will be unmuted at the appropriate time.  
7 When called, please state your name and home address before your  
8 providing your testimony. When you are finished speaking, please  
9 mute your audio.

10 If you are experience difficulty accessing Webex with  
11 your telephone call-in or have not signed up, then please call our  
12 OZ hotline number at 202-727-5471. If you wish to file written  
13 testimony or additional supporting documents during the hearing,  
14 then be prepared to describe and discuss it at the time of your  
15 testimony.

16 Again, I want to reiterate and I may need to take this  
17 out, but even if you have not signed up, you could call our OZ  
18 hotline number at 202-727-5471. You still will be able to  
19 participate in this proceeding.

20 The hearing will be conducted in accordance with  
21 provisions of 11Z D.C.M.R. Chapter 4 as follows. Preliminary  
22 matters, applicant's case. The applicant has up to 60 minutes. I  
23 don't think we need that in this case, report of the Office of  
24 Planning and the Department of Transportation, report of other

1 government agencies, report of the ANC. Testimony of  
2 organizations will have five minutes and individuals three minutes  
3 and we will hear in the following order from those in support,  
4 opposition, and undeclared. Then we'll have rebuttal and closing  
5 by the applicant.

6 Again, the OZ hotline number is 202-727-5471 for any  
7 concerns during this proceeding.

8 At this time, the Commission will consider any  
9 preliminary matters. Does the staff have any preliminary matters?

10 MS. SCHELLIN: Staff does not have any preliminary  
11 matters. I'm not sure if Ms. Batties has any, but I am not  
12 showing any preliminary matters at this point. I believe that  
13 they did post the property properly and so I think that everything  
14 is in order. If Ms. Batties -- if Mr. Young will bring her on and  
15 see if she has any preliminary matters, but staff has nothing.

16 CHAIRPERSON HOOD: Okay. Thank you. Let's bring  
17 everybody up. Mr. Young, if you know who all --

18 COMMISSIONER SHAPIRO: Mr. Chair?

19 CHAIRPERSON HOOD: Yeah. Commissioner Shapiro, yes?

20 COMMISSIONER SHAPIRO: Thank you, Mr. Chair. Yeah,  
21 because of a development partnership that's in negotiation with a  
22 member of the applicant's team, this is through my work in Prince  
23 George's County, I'm going to be recusing myself from this case  
24 and the companion case, both 20-23 and 21-01. So I wanted to let

1 | you know and I will be stepping back and off.

2 |           CHAIRPERSON HOOD:    Okay.    Thank you, Commissioner  
3 | Shapiro.  Again for the record, Commissioner Shapiro, and I will  
4 | announce this at the next proceeding as well, but Commissioner  
5 | Shapiro is recusing himself in 20-23 and 21-01 which I will  
6 | announce at the next proceeding.  So thank you, Commissioner, and  
7 | enjoy your evening.

8 |           COMMISSIONER SHAPIRO:  Thank you.  And if there are any  
9 | questions from any of my colleagues, happy to answer them, but  
10 | otherwise, yes.  Enjoy yourselves.  Bye-bye.

11 |           CHAIRPERSON HOOD:  Does anyone have any questions?

12 |           (No response.)

13 |           CHAIRPERSON HOOD:  Okay.  And Commissioner Shapiro,  
14 | enjoy your evening.  You'll pay for it eventually, trust me.  
15 | Okay.

16 |           COMMISSIONER SHAPIRO:  Have a good night.

17 |           CHAIRPERSON HOOD:  All right.  All right.  Good night.

18 |           Ms. Batties, do you have any preliminary matters?

19 |           MS. BATTIES:  Yes, I have one expert witness that we'd  
20 | like to proffer.  That's Ms. Katie Wagner with Gorove Slade.  We  
21 | want to proffer her as an expert in transportation planning and  
22 | engineering.  Her resume is at Exhibit 12A.  She has not been  
23 | previously accepted by the Commission as an expert.

24 |           CHAIRPERSON HOOD:  Okay.  Commissioners, any objections?

1 Commissioner May?

2 COMMISSIONER MAY: I don't have an objection, but I have  
3 a -- I need a minute because Ms. Batties proffered Ms. Wagner for  
4 engineering and --

5 MS. BATTIES: Transportation planning and traffic  
6 engineering. Traffic; transportation engineering.

7 COMMISSIONER MAY: Okay.

8 MS. BATTIES: Not civil engineering.

9 COMMISSIONER MAY: Well, that's why -- it's like -- I  
10 mean, I know she's a civil engineer coming from her resume, right,  
11 but it's a question of the work that she's done which, I take it,  
12 is all transportation and traffic engineering; is that right?

13 MS. BATTIES: Correct.

14 COMMISSIONER MAY: Okay. So I don't have any problem  
15 with qualifying her as an expert in that field.

16 MS. BATTIES: Okay. Thank you.

17 CHAIRPERSON HOOD: Okay. Anybody else have any  
18 objections?

19 (No response.)

20 CHAIRPERSON HOOD: Okay. We will give Ms. Wagner that  
21 qualification with the Zoning Commission and that expertise.  
22 Anything else, Ms. Batties?

23 MS. BATTIES: Not in terms of preliminary matters, no.

24 CHAIRPERSON HOOD: Ms. Batties, how much time do you

1 need? I don't remember how much you asked for. You do have --

2 MS. BATTIES: Twenty minutes.

3 CHAIRPERSON HOOD: -- 60 minutes. Twenty minutes? Okay.  
4 Okay. Thank you. All right. With that, you may begin.

5 MS. BATTIES: Okay. Great. Good afternoon. Leila  
6 Batties with the law firm of Holland & Knight representing the  
7 applicants LDP Acquisitions, LLC which is an affiliate of Jair  
8 Lynch Real Estate Partners and 525 Rhode Island, LP an affiliate  
9 of The Wilkes Company.

10 The subject property consists of nine parcels totaling  
11 approximately 2.8 acres on the south side of Rhode Island Avenue.  
12 To the east of the property is the Rhode Island Avenue metro rail  
13 station. To the west is the fire station that is the subject of  
14 your next case, 21-01. And then the Metropolitan Branch Trail  
15 also extends along a portion of the eastern boundary of the  
16 property.

17 Of the nine parcels that are the subject of this  
18 application, six are owned by Greater Mount Calvary Holy Church, a  
19 long established neighborhood stakeholder. The church's main  
20 sanctuary is located across the street on the north side of Rhode  
21 Island Avenue. On the subject property, the church provides a  
22 number of services and resources that support the community.  
23 There's also an AutoZone and other industrial warehouse uses on  
24 the subject property.

1           Although designated on the Future Land Use Map as mixed  
2 use high density residential, medium density commercial, and  
3 despite being adjacent to the Rhode Island Avenue metro rail, the  
4 subject property is zoned PDR and is very much underutilized. The  
5 purpose of this application is to rezone the property to MU-10  
6 consistent with the current land use designation in order to  
7 facilitate the redevelopment of the property in a manner that  
8 advances the District's planning policies including transit-  
9 oriented development and more housing.

10           We have a brief presentation in support of the rezoning  
11 request this evening. I'll turn the presentation over to Dwight  
12 Ellard who is COO of Greater Mount Calvary and he will be followed  
13 by Jair Lynch. After Mr. Lynch's testimony, Shane Dettman will  
14 provide expert testimony related to the Comprehensive Plan and Ms.  
15 Wagner won't be part of our direction presentation, but she will  
16 be available for any transportation related questions from the  
17 Zoning Commission and DDOT.

18           And with that, I will turn the presentation over to Mr.  
19 Ellard of Greater Mount Calvary. Mr. Ellard does not -- oh, he is  
20 on. Okay. And I'm going to just ask the team -- while Mr. Ellard  
21 tries to figure out his video and audio, I'm going to ask Mr.  
22 Lynch to go ahead and present if he could turn on his camera.

23           CHAIRPERSON HOOD: So Ms. Batties, let me just explain  
24 to you that the Zoning Commission is very patient. We understand

1 about technology --

2 MS. BATTIES: Okay.

3 CHAIRPERSON HOOD: -- and I see Mr. Ellard has now come  
4 up, so don't feel rushed. We are very patient --

5 MS. BATTIES: Okay.

6 CHAIRPERSON HOOD: -- so --

7 MS. BATTIES: Okay.

8 CHAIRPERSON HOOD: -- we will hear from Mr. Ellard first  
9 --

10 MS. BATTIES: Okay.

11 CHAIRPERSON HOOD: -- the CE --

12 MS. BATTIES: Thank you.

13 CHAIRPERSON HOOD: The CEO or the COO. I'm sure you'll  
14 --

15 MS. BATTIES: COO.

16 CHAIRPERSON HOOD: -- correct all that.

17 MS. BATTIES: There he is.

18 CHAIRPERSON HOOD: Okay. COO. Thank you.

19 MS. BATTIES: Okay.

20 MR. ELLARD: Yes, good afternoon. I did have some  
21 challenges, but it is a pleasure to be here this afternoon. My  
22 name is Dwight Ellard and I am the COO of Greater Mount Calvary  
23 Holy Church which is located at 610 Rhode Island Avenue, N.E. I  
24 am privileged to testify today before this committee. Greater

1 Mount Calvary Holy Church was established in 1966 and has remained  
2 in the District of Columbia since its inception. We are proud to  
3 have been a part of the rich history in the District of Columbia  
4 for more than 55 years. We have grown to a congregation of almost  
5 8,000 active and faithful members.

6 Greater Mount Calvary currently has over 60 ministries  
7 that are integral to serving the spiritual, cultural, social and  
8 mental health needs of our congregation and the larger community  
9 carried out through our faith, the value that these services bring  
10 to the well-being of those in need cannot be underestimated.  
11 Greater Mount Calvary Holy Church moved into its current Rhode  
12 Island Avenue location in 1991 and has since been an integral part  
13 of the community.

14 For instance, starting in 1995 Greater Mount Calvary  
15 Holy Church invested in a number of properties in the neighborhood  
16 including the Greater Mount Calvary Church home parcels as part of  
17 the south side of Rhode Island Avenue. These parcels were  
18 repurposed with community service in mind to include a food bank,  
19 clothing bank, and a family life community center.

20 In 2013, Greater Mount Calvary Holy Church made the  
21 decision to redevelop several assets in its real estate portfolio  
22 including these properties on the south side of Rhode Island  
23 Avenue. To that end, Greater Mount Calvary Holy Church has  
24 partnered with Jair Lynch Real Estate Partners to redevelop the

1 church's property and three other parcels along the south side of  
2 the 600 block of Rhode Island Avenue.

3 Under the partnership, Jair Lynch will enter into a  
4 long-term ground lease and Greater Mount Calvary Holy Church will  
5 continue to be the land owner. So on behalf of Bishop Alfred A.  
6 Owens, Jr., our senior pastor and founder and co-pastor Suzie C.  
7 Owens, it is my purpose to express to you our strong support for  
8 redevelopment of the nine parcels along the south side of the 600  
9 block of Rhode Island Avenue.

10 The proposed map amendment represents for Greater Mount  
11 Calvary Holy Church an invaluable opportunity to advance its  
12 spiritual mission in the midst of significantly challenging  
13 economic and social times. On behalf of Greater Mount Calvary  
14 Holy Church, I respectfully request the Commission to support -- I  
15 request the Commission's support to the proposed zoning map  
16 amendment for the south side of Rhode Island Avenue. Thank you.

17 MS. BATTIES: Thank you, Mr. Ellard. Now, Jair Lynch  
18 will testify in support of the application.

19 MR. LYNCH: Commissioner Hood, good to see you and the  
20 rest of the Zoning Commission. And Mr. Ellard, thank you for your  
21 important words as you have led us through this process and these  
22 discussions that we've been having regarding the cluster of  
23 properties for several years now. Good afternoon. My name is  
24 Jair Lynch and I am president and CEO of Jair Lynch Real Estate

1 Partners.

2 I am testifying today to express my strong support of  
3 the proposed coordinated map amendment for the South RIA project  
4 which is a collection of nine parcels --

5 CHAIRPERSON HOOD: I think you may have muted yourself.

6 COMMISSIONER TURNBULL: Yeah, we've lost sound.

7 MR. LYNCH: -- and the other property owners  
8 (indiscernible) companies. Can you hear me now?

9 CHAIRPERSON HOOD: Yeah, we can hear you now.

10 MR. LYNCH: All right. Great. Redevelopment of the  
11 South RIA transit-oriented site has been contemplated for over a  
12 decade. In 2011, the D.C. Council adopted the Rhode Island Avenue  
13 Small Area Plan Action -- Action Plan, PR19-0019, the RIA Small  
14 Area Plan which recommends zoning of the South RIA site to allow  
15 medium and high density mixed use.

16 After nearly a decade, the proposed zoning map amendment  
17 will finally advance the neighbor's vision for the corridor. The  
18 Rhode Island corridor is a key thoroughfare for Ward 5 that has  
19 significant untapped potential, especially the area adjacent to  
20 the Rhode Island metro station and the Metropolitan Branch Trail.  
21 Over the years, various redevelopment plans for this area have  
22 stalled for a variety of reasons. After years of setback, it  
23 appears momentum is building and the corridor is getting attention  
24 that it certainly deserves.

1           This is a unique moment in time when multiple property  
2 owners have come together to bring additional economic development  
3 to the corridor. Consistent with all of our projects, we engaged  
4 early and often with the community regarding Small Area Plan and  
5 the potential of a map amendment at this site. We started last  
6 spring with multiple meetings with the guidance from many of the  
7 ANC5E commissioners who participated in the Small Area Plan. We  
8 presented formally to the ANC5E in May, May 17th, 2020. We then  
9 presented and secured support from the Eckington Civic Association  
10 in June, June 1st, 2020, and subsequently secured support from  
11 ANC5E on June 16th, 2020.

12           We've stayed in touched and with both bodies since then.  
13 I've spent time with Dr. Denise Wright, ANC5E, the newest single  
14 member district commissioner voted in November and per her  
15 recommendation we presented again to ANC5E on March 16th, 2021,  
16 and then again to Eckington Civic Association on March 8th, 2021.

17           To harness this moment, I urge the Zoning Commission to  
18 act swiftly on this application. Doing so will greatly assist the  
19 District in advancing its housing and economic development goals  
20 at a most opportune time, especially in the light of the economic  
21 challenges that face our city due to several factors including  
22 declining population growth down from 15,000 persons per year back  
23 in 2013 to less than 5,000 persons per year in both 2019 before  
24 the pandemic and 2020 as well as, as we know, the COVID-19 crisis.

1           The South RIA site is a key element in bringing much  
2 needed quality retail, jobs, and housing opportunities to the  
3 corridor and a map amendment will be an important step in that  
4 process. I appreciate the opportunity to testify before the  
5 Zoning Commission and respectfully request your favorable  
6 consideration of this application, and how we'll hand it off to  
7 Shane Dettman.

8           MR. DETTMAN: Thank you, Jair, and good afternoon  
9 Commissioners. Today I'll summarize how the proposed map  
10 amendment satisfies the standard of review as required under  
11 Subtitle X of the Zoning Regulations. We don't see the slides.  
12 Can we bring up the presentation? There we go. Great. And Paul,  
13 if you wouldn't mind going to the next slide? Thank you.

14           The site is located along Rhode Island Avenue, N.E.  
15 between 5th Street and the metro rail overpass. Generally, in  
16 addition to the church, the Rhode Island Avenue Shopping Center  
17 which is currently undergoing redevelopment, significant  
18 redevelopment, is located to the north. To the south, you'll find  
19 a mix of PDR uses. The metro station and the Metropolitan Branch  
20 Trail are located to the immediate east and to the west you'll  
21 find moderate density residential uses.

22           The area around the Rhode Island Avenue metro rail  
23 station as Jair mentioned is finally seeing significant  
24 development interest. The Rhode Island Avenue Row PUD and the

1 Brentwood Shopping Center are located on the opposite side of the  
2 metro trail. The Brooklyn Press Development is located to the  
3 northeast and the commission recently approved a math amendment  
4 immediately south of that development, again to the northeast.  
5 There are other apartments to the north along Rhode Island Avenue  
6 that have recently been completed or are currently under  
7 construction and, of course, there is the significant  
8 redevelopment that's ongoing at the Rhode Island Avenue Shopping  
9 Center as I already mentioned.

10 The proposed map amendment to MU-10 will not only bring  
11 the zoning of the subject property into consistency with the Comp  
12 Plan, it will also position the site for development that better  
13 utilizes land around the metro station in order to achieve  
14 District housing goals, and neighborhood housing goals, and retail  
15 needs as recommended by the Small Area Plan. Next slide?

16 To approve this application, the Commission must  
17 determine that the proposal is not inconsistent with the  
18 Comprehensive Plan and other adopted policies and programs. It  
19 must also weigh the proposal against the objectives of the Zoning  
20 Act. Next slide?

21 The chart before you provides a summary comparison of  
22 the sites existing and proposed zoning. When considered against  
23 the Comprehensive Plan and in particular the FLUM and the Upper  
24 Northeast Element policies which includes the recommendations of

1 the Small Area Plan, you quickly see that the existing PDR-2  
2 zoning is inconsistent with the Comprehensive Plan.

3 The existing PDR-2 zoning permits medium density  
4 commercial and PDR activities employing a large workforce and  
5 requiring some heavy machinery. It permits maximum density of 4.5  
6 FAR for non-restricted uses and a height of 60 feet.

7 The proposed MU-10 zoning permits medium to high density  
8 mixed use development with a balance of uses conducive to high  
9 quality of life and environment. Consistent with the framework  
10 element, the MU-10 zone permits a maximum density and height of  
11 6.0 FAR and 90 feet with additional density and height permitted  
12 for inclusionary zoning. Next slide?

13 So looking at the Small Area Plan first before we jump  
14 into the Comprehensive Plan, I wanted to just put in front of you  
15 some of the important quotes and recommendations that were set  
16 forth in the 2011 Small Area Plan. It talks about how the metro  
17 rail area contains tremendous untapped potential to become a  
18 diverse mixed use center of densities which are suitable to major  
19 transit rail stations. It talks about the successful realization  
20 of the plan depends heavily upon the ability to construct new  
21 housing at greater densities.

22 The current PDR-2 zoning does not permit any residential  
23 use. The retail uses which the community residents prefer will  
24 only appear following the creation of new rooftops or new units of

1 housing. Again, under the existing zoning, we can't achieve that  
2 additional housing that's so important around the metro rail  
3 station.

4           The Small Area Plan goes forward to talk about building  
5 new housing in higher density multi-family apartment buildings and  
6 stacked townhomes along the avenue is very important to generating  
7 the foot traffic to make the retail viable. And finally, it says  
8 as this plan specifically focuses on commercially zoned properties  
9 which contain no housing, the Small Area Plan does not encourage  
10 or support the displacement of any existing residents. Any  
11 residential development that's going to be -- come as a result of  
12 this map amendment will be entirely new residential housing. Next  
13 slide?

14           If you look at the Small Area Plan, the subject property  
15 is located in Subarea 1, Site B and here are some of the specific  
16 observations and recommendations made in the Small Area Plan  
17 specific to this site. It talks about how opportunities for  
18 potential development sites, they have unrealized development  
19 potential.

20           Talks about that there is -- that it recommends a change  
21 in zoning to allow more housing along Rhode Island Avenue and a  
22 mix of office, retail, and housing. It talks about pushing the  
23 industrial zoning back to the south of W Street away off or Rhode  
24 Island Avenue which is a designated grid street. And finally, it

1 specifically calls for the rezoning of the site to allow up to 6.0  
2 FAR and 90 feet. Next slide?

3           The recommendations of the 2011 Small Area Plan were  
4 subsequently incorporated into the Comprehensive Plan by way of  
5 the Comprehensive Plan Amendment Act of 2012 and here you can see  
6 on this slide the 2006 Future Land Use Map which shows the subject  
7 properties being designated for PDR industrial uses. In between -  
8 - after that was the 2011 Small Area Plan and on the right you see  
9 the current Comprehensive Plan Future Land Use Map which you can  
10 see the change in the land use designation to what exists today  
11 being mixed use, high density residential, medium density  
12 commercial. Next slide?

13           So looking at the Future Land Use Map again, the  
14 designation on the site is mixed use and a mixed use designation  
15 is described in the framework element as being areas where the  
16 mixing of two or more land uses is encouraged. It talks about how  
17 mixed use areas in the FLUM are established at pedestrian-oriented  
18 corridors that include housing with ground floor retail or office  
19 uses. It's also the type of designation you'd find on established  
20 commercial corridors or districts where there's more housing  
21 that's desired.

22           The density and intensity of development within mixed  
23 use areas is shown by the specific stripes that are shown on the  
24 map and in this case what's proposed or what's encouraged on this

1 site is mixed use development comprised of high density  
2 residential, medium density commercial. Additional guidance in  
3 terms of density and intensity on the site is also found in the  
4 area elements.

5 Finally, the MU-10 zone is specifically identified in  
6 the recently adopted framework element as being consistent with  
7 the medium density commercial FLUM designation. Next slide?

8 So looking at the Generalized Policy Map, and somewhat  
9 oddly the site is primarily designated on the Policy Map as a  
10 Neighborhood Conservation Area with just the eastern edge  
11 designated as a Land Use Change Area. And I think that there's an  
12 argument to be made that there is a disconnect between the Policy  
13 Map and the Future Land Use Map.

14 While in 2012 the Future Land Use Map as I just  
15 described was changed from industrial to mixed use to reflect the  
16 land use changes called for on the Small Area Plan, no changes  
17 were made to the Policy Map. Again, based on the FLUM, the  
18 Comprehensive Plan policies and the Small Area Plan, I'd say that  
19 this is a discrepancy. However, I think that it's a discrepancy  
20 that's easily addressed by looking at the specific guidelines  
21 provided in the Comprehensive Plan for how you use the Policy Map.

22 And first and foremost as it states on this slide,  
23 there's a guideline that's specifically printed on the Policy Map  
24 that says because the Policy Map provides a generalized view, that

1 the boundaries should not -- should be interpreted as approximate  
2 and not precise locations. And so that's an important point  
3 because to the extent that the commission felt that this wasn't an  
4 oversight and, in fact, the proposal gives rise to an  
5 inconsistency, I would submit that the inconsistency is far  
6 outweighed by other competing considerations when you evaluate the  
7 Comprehensive Plan with the supplemental guidance provided by the  
8 Small Area Plan holistically.

9           And so if we look at a Land Use Change Area, the  
10 framework element describes those areas as being where change in  
11 land use is anticipated. Again, and that's what we see in the  
12 Small Area Plan and on the FLUM. A guiding philosophy is to  
13 encourage and facilitate new development and then that these areas  
14 have the potential to become mixed use communities containing  
15 housing, retail, shops, and services, workplaces, and civic  
16 facilities. Guidance in terms of the development that's  
17 appropriate for these types of areas is found in the FLUM as well  
18 as in the area elements. Next slide?

19           In terms of a Neighborhood Conservation Area, I think  
20 it's important to point out that in the framework element that  
21 we're operating under right now, it's not that Neighborhood  
22 Conservation Area says no development. It's actually quite the  
23 contrary. It does say that, you know, changes in density are not  
24 expected, but there are areas within the larger conservation areas

1 | where new development and reuse opportunities are appropriate and  
2 | that those reuse opportunities are guided by the Comprehensive  
3 | Plan policies and the FLUM.

4 |           A very important point is that the guiding philosophy in  
5 | a Neighborhood Conservation Area is to conserve and enhance  
6 | established neighbors but not preclude development particularly to  
7 | address city-wide housing needs. And finally, it says that the  
8 | densities in a Neighborhood Conservation Area are guided by the  
9 | FLUM as well as Comprehensive Plan policies. Next slide?

10 |           So looking at the Upper Northeast policies and again,  
11 | looking at the Future Land Use Map, the change that was made in  
12 | 2012 to mixed use, high residential, medium commercial, and  
13 | looking at the specific polices of the Upper Northeast Area  
14 | Element that talk about putting density around the metro station,  
15 | the Rhode Island Avenue metro station, the need for greater  
16 | neighborhood shopping, the need for streetscape improvements,  
17 | talking about the untapped potential of the Rhode Island Avenue  
18 | Brentwood metro station, I think when you look at that in  
19 | totality, I think to the extent that there is an inconsistency  
20 | with the Policy Map, it's far outweighed. Next slide?

21 |           As you know, Commission, when you're dealing with making  
22 | a determination of the Comprehensive Plan you have to look at  
23 | whether or not there's any potential for Comp Plan inconsistencies  
24 | and to the extent that they exist, you have to acknowledge them

1 and talk about why they're outweighed. As set forth in our  
2 application, we did talk about, you know, this -- some of the  
3 comments I made about the Generalized Policy Map. There are a  
4 couple policies in the land use element and economic development  
5 element that talk about the importance of redeveloping outmoded  
6 and non-productive industrial sites, accommodating PDR uses,  
7 retaining an adequate supply of PDR uses.

8 And so, you know, to the extent again that those  
9 policies are in conflict with the Comprehensive Plan and with the  
10 proposal actually, I think they're far outweighed by the specific  
11 recommendation in the Small Area Plan that talks about rezoning  
12 the site, pushing industrial uses away from Rhode Island Avenue,  
13 the FLUM designation, and the many policies that we've provided in  
14 our applicant statement as well as that are listed before you  
15 here.

16 There's also the Mayor's Order in housing, the Housing  
17 Inquiry Report, and the fact that this is a designated grid street  
18 that really deserves more than just having industrial uses along  
19 the south side of the avenue where we're looking at today. And so  
20 next slide?

21 Quickly looking at zoning consistency with the areas of  
22 congestion, health, welfare, and safety, these are earlier  
23 described in our applicant statement. But again, looking at these  
24 types of areas I think on balance, overall the proposal is

1 consistent with the purposes of the Zoning Act as described in  
2 this slide. I won't go through them in detail at this point, but  
3 happy to answer any questions as we move forward. Next slide?

4           So with that, I draw conclusion that the proposed map  
5 amendment is not inconsistent with the Comprehensive Plan and that  
6 any potential inconsistencies with the Policy Map or the  
7 individual policies that I touched upon in my presentation are far  
8 outweighed by the current future land use map designation in  
9 consistency with other competing Comp Plan priorities relating to  
10 house, transportation-oriented development, and urban design, the  
11 Small Area Plan as well as other District planning policies and  
12 programs and that the proposal is also consistent with the Zoning  
13 Act and will create conditions that are favorable to the public  
14 health, safety, welfare, and convenience for District residents,  
15 workers, and visitors.

16           And so with that, Mr. Chairman, I'll conclude my  
17 presentation and hand it back to Leila.

18           MS. BATTIES: All right. Thank you, Shane. Mr.  
19 Chairman, that concludes our direct testimony.

20           CHAIRPERSON HOOD: I want to thank you all for a very  
21 succinct presentation and straight to the point. I appreciate all  
22 those presenters. I will let my colleagues go first as is my  
23 normal practice, but I can tell you every time I hear about  
24 Greater Mount Calvary Holy Church I'm always inspired because I

1 remember the years when nobody would go down on 4th and Rhode  
2 Island, but Greater Mount Calvary Holy Church and look what it's  
3 done now and you all were the ones that gave it the birth to get  
4 things jump started down there. So, you know, citizens here in  
5 Ward 5 and the city really appreciate that. It goes a long way  
6 and I know I don't see anything from my standpoint that's going to  
7 stand in my way of this application, but let me open it up to my  
8 colleagues for any questions or comments.

9 Commissioner May?

10 COMMISSIONER MAY: I don't have any questions or  
11 comments. Thank you.

12 CHAIRPERSON HOOD: Commissioner -- I'm used to the way  
13 we do it. Commissioner Shapiro? Not Shapiro.

14 Commissioner Turnbull?

15 COMMISSIONER TURNBULL: Thank you, Mr. Chair. I just  
16 had one question for Mr. Dettman. The zoning across the street on  
17 Rhode Island is now MU-7; is that right or?

18 MR. DETTMAN: That's right. Yeah, there's a PUD up  
19 there, but I think generally it's MU-7.

20 COMMISSIONER TURNBULL: What can we expect? What's  
21 going to be the difference? What are we going to see between MU-7  
22 and MU-10? If one of you could describe to us what we're going to  
23 be looking at?

24 MR. DETTMAN: Sure, I can. I'm pulling something up

1 right now. I believe MU-7 is a matter-of-right development in  
2 terms of height. You are looking at matter-of-right allows 65  
3 feet, 4.8 FAR with inclusionary zoning with a potential to reach  
4 90 feet with a PUD.

5 COMMISSIONER TURNBULL: Okay.

6 MR. DETTMAN: The proposed MU-10 is 90 feet with 100  
7 feet allowed as -- with IZ.

8 COMMISSIONER TURNBULL: I'm just curious. Why are you  
9 go for MU-10 rather than MU-7? Well, just if you could briefly  
10 say why.

11 MR. DETTMAN: Sure. I think in terms of looking at the  
12 Comprehensive Plan policies and the Small Area Plan that talks  
13 about optimizing density around the metro rail, certainly a well-  
14 established planning principle for development around transit. We  
15 have the medium density commercial designation on the FLUM that  
16 specifically talks about MU-10 as being consistent and MU-10 is a  
17 really good zone when you look at the Small Area Plan talking  
18 about a mix of residential and office uses.

19 The MU-10 which is the old CR is kind of a purpose-built  
20 mixed use zone for these types of areas in the city where it does  
21 put an emphasis on residential, but it does allow for an  
22 appropriate amount of commercial limited to 3.0 FAR, but we think  
23 that it's a good flexible zone for this specific site next to the  
24 metro rail.

1 COMMISSIONER TURNBULL: Thank you.

2 CHAIRPERSON HOOD: Okay. Vice Chair Miller?

3 VICE CHAIR MILLER: Thank you, Mr. Chairman, and thank  
4 you to Ms. Batties and Dwight Ellard from Mount Calvary, and Jair  
5 Lynch and Shane Dettman for the team here representing the  
6 applicant for this map amendment which I think the case clearly  
7 has been made that it meets the standard of review of not  
8 inconsistent with the Comprehensive Plan changing the zoning from  
9 PDR to MU-10. PDR which doesn't allow -- as you pointed out  
10 appropriately, no residential is allowed in PDR zone and the  
11 Comprehensive Plan Land Use Map calls for high density  
12 residential, so that's a -- this is addressing that inconsistency  
13 and will be consistent.

14 I'm not sure why the -- and I remember when I was on the  
15 council staff, we -- the Small Area Plan that came before us and  
16 the Land Use Map amendment came before us. I'm not sure why we  
17 didn't do the Policy Map amendment to change it to a Land Use  
18 Change Area, but I know that there were in the most recent  
19 framework elements framework element changes made a year or two  
20 ago by the mayor and the council that the Conservation Area was  
21 clarified to make it even more clear that it doesn't mean that  
22 nothing changes in a Conservation Area and this has a little Land  
23 Use Change Area at the -- I guess it's the eastern edge.

24 I don't know if I'm saying that wrong, but it does allow

1 development that's consistent with the overall policy of the  
2 Comprehensive Plan which this certainly supports with the housing  
3 designation. And I know that in a map amendment case it's not any  
4 specific project that we are reviewing or evaluating the map  
5 amendment in terms of, but I think it might be useful, at least  
6 for my own edification and maybe for the public's, just to hear a  
7 very, very, very succinct presentation of what the project is  
8 that's underlying that this map amendment will facilitate. I  
9 assume it's a housing project.

10 And I meant to also in the beginning say that -- concur  
11 with the comments of our Chairman about the good works of Mount  
12 Calvary in this neighborhood and all the support services that  
13 you've provided to the community and the community engagement that  
14 you've engaged in with ANC5E and Eckington Civic Association on  
15 this particular map amendment, but if someone could just briefly  
16 state what -- if it's developed, if the proposal is developed at  
17 this point, what project might be facilitated by this? How much -  
18 - just how much housing. Not telling us what -- the massing or  
19 obviously high density is what we're -- is permitted under the map  
20 amendment and under the Land Use Map currently on the Comp Plan,  
21 but just what -- how much housing is being -- might be facilitated  
22 by this map amendment?

23 MS. BATTIES: Jair, can you speak generally to kind of  
24 the planning, development, programming, and principles that are

1 being contemplated for this site?

2 MR. LYNCH: Yes, by all means. Commissioner Miller,  
3 thank you for your long memory about the Small Area Plan. Many of  
4 the ANC commissioners had a similar memory and our planning  
5 principles focused around the Small Area Plan. And if you  
6 remember specifically, the Small Area Plan contemplated both  
7 housing, as well as office, as well as retail. The office  
8 component being important as these nodes outside the central  
9 business district need to have balanced daytime population in  
10 order to be able to, you know, really thrive and the retail to be  
11 able to thrive.

12 And so at this location while the office market is  
13 somewhat struggling right now, we do think that there are some  
14 opportunities for lower cost options outside the CBD that might be  
15 attractive here and so office could be a part of that and then  
16 there would be several hundred units of housing. As you  
17 indicated, this can be an impactful project.

18 We also took into consideration some of the other ideas  
19 that were part of the Small Area Plan which is increased  
20 connectivity to W Street and the Metropolitan Branch Trail and so  
21 those were the framework of what coalesced several owners that  
22 were part of this. And as I indicated before, this is a moment in  
23 time which all of these owners could work together to be able to  
24 create such an impactful project.

1           VICE CHAIR MILLER: Well, thank you for that explanation  
2 and for bringing this application forward at this time. I think  
3 it can be very impactful. Thank you.

4           CHAIRPERSON HOOD: I don't necessarily have a whole lot  
5 to say about the zoning part of because when I look at the record  
6 it looks like everything is complete, and I would concur with the  
7 Vice Chair's comments about the Small Area Plan and high  
8 intensity. So, you know, the record is complete. I mean, you  
9 have plenty of support. Again though, I just can't forget the  
10 good work that Greater Mount Calvary has done, Bishop Owens and  
11 co-pastor, and T. Cedrick Brown, and Pastor Woodhouse. And I was  
12 thinking, a couple of weeks ago -- I do tune in sometimes. I'll  
13 be frankly honest and I said, "Maybe we need to do Zoning  
14 Connect."

15           I haven't figured it out, but I'm sure our Zoning  
16 Connect won't be like Calvary Connect. We'll probably get beat up  
17 on. But even if it is, we're up to the task. But I can tell you  
18 that the activities they're doing and even more than that, this  
19 map amendment, I think, Commissioners, go to what's actually going  
20 around, what's going on around Greater Mount Calvary down there on  
21 Rhode Island Avenue so they can stay competitive and stay in the  
22 game as well.

23           A lot of residents in Ward 5, and across the city, and  
24 abroad, benefit from Mount Calvary. So, you know, I'm excited

1 | about this. I'm looking forward to some continued great things  
2 | and I know my -- and I'll just say this and I'll leave it at that  
3 | point. I know my wife has inspired my grandkids who are in  
4 | Houston to watch FLO on, I think it's Monday nights. When we're  
5 | having hearings, they're watching FLO (phonetic) which is For  
6 | Ladies Only and they enjoy that.

7 |           So I just want you to know the kind of -- those are the  
8 | kind of things that makes it very gratifying on the Zoning  
9 | Commission. Yeah, we get beat up sometimes. We got beat up  
10 | Tuesday night, okay. We took a beating, but it's about making it  
11 | coexist for the residents of this city and for me, this is one of  
12 | those projects. Even though I can handle a Tuesday night, I can  
13 | handle a Monday, but these are those projects that are gratifying  
14 | sometimes to see.

15 |           So I appreciate all the work Mr. Ellard, and Jair Lynch,  
16 | and to Ms. Batties, and Dettman, and whoever else is involved. I  
17 | appreciate all the work you all are doing, so keep up the good  
18 | work because you all are helping out a lot of people in this city.  
19 | You just never know who you're really helping, so keep up the good  
20 | work. All right. Any follow-up questions or comments? Okay.  
21 | Let me -- ANC, Ms. Schellin, do we have anyone here from the ANC  
22 | that may want to cross? Probably not because they have such a  
23 | great in support letter.

24 |           MS. SCHELLIN: I'm sorry. Remind me who the Chairman is

1 on that one.

2 CHAIRPERSON HOOD: Let me go to the letter. Hold on one  
3 second.

4 UNIDENTIFIED SPEAKER: Thomas.

5 CHAIRPERSON HOOD: Oh, Bradley. Yeah, Bradley Thomas.  
6 I didn't see (indiscernible).

7 MS. SCHELLIN: Bradley Thomas? Yeah, I didn't think --

8 CHAIRPERSON HOOD: Bradley --

9 MS. SCHELLIN: -- I saw him. I'm double checking. No.

10 CHAIRPERSON HOOD: Okay. Well, I will read his letter  
11 at the appropriate time. Let's go to the report of the Office of  
12 Planning and the District Department of Transportation.

13 MS. FOTHERGILL: Good afternoon Chairman Hood and  
14 members of (indiscernible). I'm Anne Fothergill for the Office of  
15 Planning presenting Commission Case 20-23 and the Office of  
16 Planning is recommending approval of this map amendment from the  
17 PDR-2 zone to the MU-10 zone and we rest on the record in support  
18 of the application and I'm happy to take any questions.

19 CHAIRPERSON HOOD: Okay. And let's go to DDOT. Do we  
20 have anyone from DDOT? I haven't seen them.

21 MS. SCHELLIN: I do not think we have anyone from DDOT  
22 today.

23 CHAIRPERSON HOOD: We don't? Okay. Let me pull up the  
24 letter and read it for the record. Can somebody tell me the

1 exhibit? Oh, I know where I can get it. I got it right here.  
2 Exhibit 20, I believe. Okay. Hold on a second. Just bear with  
3 me.

4 See what I mean, Ms. Batties. We have to take time  
5 because sometimes these files, especially when I'm doing the  
6 hearing, is they never open up like they're supposed to. They  
7 open up when I'm practicing.

8 Okay. I have it. I have it. You have it Vice Chair?  
9 Go ahead, Vice Chair. Thank you.

10 VICE CHAIR MILLER: No, you can go ahead. You got it.  
11 That's why I print these out ahead of time.

12 CHAIRPERSON HOOD: Oh, you printed it out? Okay. I try  
13 to open them up and let me get to it. (Indiscernible). DDOT has  
14 reviewed the application. This comes from -- this is the  
15 Department of Transportation letter dated April 12th, 2021, and it  
16 basically says, "DDOT has reviewed the applicant's request and  
17 determined on the information provided, the proposed rezoning  
18 would likely not lead to a significant increase in the number of  
19 peak-hour vehicle trips or the District's transportation network  
20 if developed with the most intense matter-of-right uses.  
21 Therefore, DDOT has no objections to the approval of the request  
22 of the map amendment," and that is their Exhibit 20. Okay. So  
23 I've given the DDOT report.

24 Now, Commissioners, if you have any questions of the

1 Office of Planning, but please don't ask any questions of DDOT  
2 because I gave the report. So any questions of the Office of  
3 Planning?

4 Commissioner May?

5 (No response.)

6 CHAIRPERSON HOOD: Commissioner Turnbull?

7 COMMISSIONER TURNBULL: No.

8 CHAIRPERSON HOOD: Okay. Okay. Vice Chair Miller?

9 (No response.)

10 CHAIRPERSON HOOD: I have no questions as well. Okay.  
11 Thank you, Ms. Fothergill and thank you DDOT. All right. Let's -  
12 - just a second. Let's go to the ANC report. Did we have  
13 anything from the other government agencies? I didn't see  
14 anything. Let's go to the ANC report. Give me one second. Okay.  
15 The ANC report is Exhibit 3H. The ANC report noted that they had  
16 reviewed the applicant's preliminary proposal in support of the  
17 application which would allow the property to be redeveloped with  
18 a mix of uses including residential, (indiscernible), retail, and  
19 provide the pedestrian transit improvements and the ANC voted in  
20 support. And for the record -- one second, please. And it is  
21 signed by Chairman Bradley A. Thomas, Chair of ANC5E. The vote  
22 was 10 members present by vote of 8 in favor, 0 opposed, and two  
23 abstentions. So this passes.

24 All right. Ms. Schelling, do we have anyone who would

1 | like to testify in support, opposition, or undeclared in the  
2 | audience?

3 |           MS. SCHELLIN: There are only two people who have signed  
4 | up to testify. Both are in support. We have Mr. Murray and Mr.  
5 | Matthews.

6 |           CHAIRPERSON HOOD: Okay. Let's bring both of them up.  
7 | And Mr. Murray, you may begin. And right after you, Mr. Murray,  
8 | Mr. Matthews.

9 |           MR. MURRAY: All right. Good afternoon everyone. My  
10 | name is Earl Murray. I am -- I live at 100 Seton Place, N.W. in  
11 | Ward 5 and so my letter says, "Dear Chairman Hood and the members  
12 | of the Zoning Commission, I want to thank you for the opportunity  
13 | to speak as a proponent of the Zoning Amendment proposal for the  
14 | 600 block of Rhode Island Avenue, N.E. I've been a resident of  
15 | Ward 5 since I moved to Washington, D.C. in 2006, a member of  
16 | Greater Mount Calvary Holy Church since 2008 and its Board of  
17 | Trustees since 2017.

18 |           The neighborhood is long overdue for revitalization and  
19 | I am excited that this project will be a key component in the  
20 | changes to come. Greater Mount Calvary has been a catalyst for  
21 | change since inception in Rhode Island Avenue community for over  
22 | 30 years. I am grateful that this project will bring a new  
23 | paradigm on how Greater Mount Calvary will service stakeholders.

24 |           As a Ward 5 residents who lives along the Rhode Island

1 Avenue corridor, I've seen the changes that have affected houses  
2 of worship with the reduction of members and closing of its doors.

3 I am proud that Greater Mount Calvary Holy Church has pivoted to  
4 meet the ever changing needs of the community while remaining a  
5 stakeholder in the community. I am pleased as a resident of the  
6 District of Columbia that this project will improve the quality of  
7 life for its residents and community upon completion." Thank you.

8 CHAIRPERSON HOOD: Thank you. Next, Mr. Matthews?

9 MR. MATTHEWS: Good afternoon Chairman Hood and members  
10 of the Zoning Commission. My name is Michael Matthews. My  
11 address is 3023 Hawthorne Drive, N.E. I've been a Ward 5 resident  
12 since 2009 and member of the Greater Mount Calvary Holy Church  
13 Board of Trustees since 2007. Chairman Hood, I look forward to  
14 tuning in to Zoning Connect as soon as you put that together. I  
15 am testifying in support of the proposed Zoning Map amendment of  
16 the 600 block of Rhode Island Avenue.

17 Greater Mount Calvary has been a great and vital  
18 resource since arriving into the neighborhood in 1991 and I have  
19 been blessed along with some of my organizations including the 100  
20 Black Men of Greater Washington, D.C. to volunteer and assist with  
21 several multiple service projects that spread the great work in  
22 the neighborhood. Over the years I've witnessed many houses of  
23 worship and community centers relocate outside of the District.

24 Greater Mount Calvary Holy Church continues to provide

1 consistent worship services, community outlets, and remains  
2 extremely relevant especially as the District continues to change.

3 I'm excited about the development opportunity represented by the  
4 proposed Zoning Map amendment. If approved, it will help Greater  
5 Mount Calvary maintain its presence within this rapidly emerging  
6 area. For those reasons, I strongly pray and urge the Zoning  
7 Commission's approval of this application." Thank you for this  
8 opportunity to testify this afternoon.

9 CHAIRPERSON HOOD: I want to thank you both Mr. Murray  
10 and Mr. Matthews for taking the time to come down and especially  
11 exhibit your support, especially being right there down near --  
12 right near the church and also being officers at the church. I  
13 think both of you said you were trustees. But either way, we  
14 appreciate you taking the time for your support.

15 Let's see if we have any follow-up questions.  
16 Commissioner May, any questions or comments?

17 (No response.)

18 CHAIRPERSON HOOD: Okay. Commissioner Turnbull?

19 (No response.)

20 CHAIRPERSON HOOD: And Vice Chair Miller?

21 (No response.)

22 CHAIRPERSON HOOD: Okay. Again, thank you both. Yeah,  
23 I may need some help with Zoning Connect, so I'll reach out to you  
24 or to somebody to help us because I hope it goes as smoothly as ii

1 see going on at Greater Mount Calvary, so thank you.

2 MR. MATTHEWS: We're here for you.

3 CHAIRPERSON HOOD: All right. All right. Thank you. I  
4 might --

5 VICE CHAIR MILLER: Mr. Chair?

6 CHAIRPERSON HOOD: -- take you up on that. Yes?

7 VICE CHAIR MILLER: I look forward to Zoning Connect as  
8 well, but I would point out that we're -- I think we're in our  
9 24th hour of connecting the public hearings this week between  
10 Zoning Commission and BZA and it's been a lot of connecting this  
11 week.

12 CHAIRPERSON HOOD: Yeah, and that's why I kind of  
13 brought that to the equation because we have had a very good --  
14 and I was going to mention this at the next hearing because I  
15 really appreciate all the work that's been put in this week. It  
16 has been a very long week for us, but you know one thing about it,  
17 we're up to the task. We're up to the task.

18 Okay. Ms. Schellin -- any closing comments,  
19 Commissioners?

20 (No response.)

21 CHAIRPERSON HOOD: All right. So Ms. Batties, do you  
22 have any rebuttal or closing?

23 MS. BATTIES: I just have a brief closing, just -- no  
24 rebuttal. And just, you know, to note or reiterate the that

1 proposed rezoning is significant and that it will facilitate the  
2 redevelopment of a major segment of Rhode Island Avenue, although  
3 at the same time it's fairly straight forward. The current zoning  
4 is inconsistent with the Comprehensive Plan and the proposed  
5 zoning MU-10 is consistent with the property's land use  
6 designation on the Comprehensive Plan.

7 The hearing record is strong including support from  
8 ANC5E and the Eckington Civic Association, favorable reports from  
9 OP and DDOT, and of course the testimony today from Mr. Murray and  
10 Mr. Matthews in support. And as such, the -- we respectfully  
11 request that the Zoning Commission take proposed action in support  
12 of the application. Thank you.

13 CHAIRPERSON HOOD: Okay. Thank you very much, Ms.  
14 Batties, and all of you all who have testified this evening. We  
15 appreciate it.

16 Ms. Schellin, I believe this is a two-vote case.

17 MS. SCHELLIN: Correct.

18 CHAIRPERSON HOOD: So Commissioners, I think this is  
19 pretty straight forward. We didn't even have to have any  
20 rebuttal. We have overwhelming support and there's some  
21 consistency issues which we're trying to do and again, this is a  
22 church that's, again, trying to sustain so I would recommend that  
23 we move forward. We may hear from others or even if somebody just  
24 wants to make a motion, that'll be in order as well.

1 COMMISSIONER TURNBULL: I would concur on moving  
2 forward, Mr. Chair. I'm in support.

3 CHAIRPERSON HOOD: Okay. All right. Anybody else? Any  
4 objections to moving forward?

5 COMMISSIONER MAY: Nope.

6 CHAIRPERSON HOOD: Would somebody like to make a motion  
7 or would you like for me to make it?

8 VICE CHAIR MILLER: Like for you to make it.

9 CHAIRPERSON HOOD: I would move the Zoning Commission  
10 approves Zoning Commission Case Number 20-23, LDP Acquisitions,  
11 LLC and 525 Rhode Island Avenue, LP - Map Amendment at Square 3623  
12 and Parcels 131/94, 131/146, 131/147, 131/155, 131/161, 131/162,  
13 and 131/217 and ask for a second.

14 VICE CHAIR MILLER: Second.

15 CHAIRPERSON HOOD: It's been moved and properly  
16 seconded. Any further discussion?

17 (No response.)

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

20 MS. SCHELLIN: Commissioner Hood?

21 CHAIRPERSON HOOD: Yes.

22 MS. SCHELLIN: Commissioner Miller?

23 VICE CHAIR MILLER: Yes.

24 MS. SCHELLIN: Commissioner Turnbull?

1 (No response.)

2 MS. SCHELLIN: Commissioner Turnbull?

3 COMMISSIONER TURNBULL: Oh, I'm sorry. I thought I was  
4 unmuted. Yes.

5 MS. SCHELLIN: Commissioner May?

6 COMMISSIONER MAY: Yes.

7 MS. SCHELLIN: The vote is 4 to 0 to 1 to approve  
8 proposed action in Zoning Commission Case No. 20-23, Commissioner  
9 Hood moving, Commissioner Miller seconding, Commissioner Shapiro  
10 not present having recused himself.

11 CHAIRPERSON HOOD: Okay. So --

12 MS. SCHELLIN: Thank you everyone.

13 CHAIRPERSON HOOD: So let me just say this. So I'm  
14 really serious about the Zoning Connect. I just got to make sure  
15 it legally could be done and I want to talk to my colleagues about  
16 it. It may work, it may not. I thought about this idea before  
17 and I actually got it from Greater Mount Calvary, so thank you  
18 all.

19 Ms. Schellin, do we have anything else?

20 MS. SCHELLIN: That's it. Just to ask --

21 CHAIRPERSON HOOD: All right. What --

22 MS. SCHELLIN: I'm sorry. If I could have the applicant  
23 provide an order -- whew, say two weeks.

24 MS. BATTIES: Yes.

1 MS. SCHELLIN: Okay.

2 CHAIRPERSON HOOD: All right. So with that, colleagues,  
3 we have to go over to the other link for the next -- so we'll give  
4 it five minutes for all us to get through all the technical issues  
5 and problems in getting on. So we'll start in about five minutes.

6 Ms. Schellin, anything else?

7 MS. SCHELLIN: Nothing.

8 CHAIRPERSON HOOD: I want to thank everyone for their  
9 participation tonight --

10 MS. BATTIES: Thank you.

11 CHAIRPERSON HOOD: -- and this meeting is adjourned.

12 (Whereupon, the above-entitled matter went off the record at  
13 4:58 p.m.)

14

C E R T I F I C A T E

This is to certify that the foregoing transcript

In the matter of: Public Hearing

Before: DCZC

Date: 04/22/21

Place: Teleconference

was duly recorded and accurately transcribed under my  
direction; further, that said transcript is a true and  
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