

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: :
 :
 Providence Place I, LP : Case No.
 PUD Modification of : 17-08A
 Significance 50th Street, :
 NE (Square 5194, Lot 827) :
 Ward 7 :
 -----:

THURSDAY

DECEMBER 2, 2021

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The Public Hearing of Case No. 17-08A by the District of Columbia Zoning Commission convened via videoconference at 4:00 p.m. EDT, Anthony J. Hood, Chairperson, presiding.

ZONING COMMISSION MEMBERS PRESENT:

ANTHONY J. HOOD, Chairman
ROBERT MILLER, Vice Chairperson
PETER MAY, Commissioner
JOSEPH IMAMURA, Commissioner

OFFICE OF ZONING STAFF PRESENT:

SHARON SCHELLIN, Secretary
PAUL YOUNG, Zoning Data Specialist

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OFFICE OF PLANNING STAFF PRESENT:

KAREN THOMAS

OFFICE OF ZONING LEGAL DIVISION STAFF PRESENT:

HILLARY LOVICK, ESQ.

The transcript constitutes the minutes from the
Public Hearing held on December 2, 2021.

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

OPENING STATEMENT:
 Anthony Hood 4

PRESENTATION:
 Case Number: 17-08A - Providence Place I, LP
 PUD Modification of Significance, 50th Street, NE,
 (Square 5194, Lot 827) Ward 7 7

COMMENTS AND QUESTIONS:
 Commissioners 9

VOTE:
 Commissioners 21

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ADJOURN:
 Anthony Hood 23

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

(4:00 p.m.)

CHAIRPERSON HOOD: Thank you. Good afternoon, ladies and gentlemen. Today's date is December 2nd, 2021. The time is approximately 4:00 p.m. We are convening and broadcasting this public hearing by videoconferencing. My name is Anthony Hood and I'm joined this evening by Vice Chair Miller, Commissioner May, and Commissioner Imamura. We're also joined by the Office of Zoning staff, Ms. Sharon Schellin, as well as Mr. Paul Young, who is handling all of our virtual operations, and Office of Zoning attorneys, Office of Zoning Legal Division, Ms. Lovick. I will ask all others to introduce themselves at the appropriate time.

The virtual public hearing notice is available on the Office of Zoning's website. This proceeding is being recorded by a court reporter and the platforms used are webcast live, Webex and YouTube Live. The video will be available on the Office of Zoning's website after the hearing. All persons planning to testify should have signed up in advance and will be called by name at the appropriate time.

At the time of sign-up, all participants will complete the oath or affirmation required by Subtitle Z, 408.7. Accordingly, all of those listening on Webex or by phone will be muted during the hearing and only those who have signed up to participate or testify will be unmuted at the appropriate time.

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2 providing your testimony. When you are finished speaking, please
3 mute your audio. If you experience difficulty accessing Webex
4 or with your telephone call-in or have not signed up, then please
5 call our OZ hotline number at 202-727-5471. If you wish to file
6 written testimony or additional supporting documents during the
7 hearing, then please be prepared to describe and discuss it at
8 the time of your testimony.

9 Tonight's case is Zoning Commission Case No. 17-08A.
10 This is Providence Place I, LP PUD modification of significance
11 at Square 5194, Lot 827; 50th Street Northeast.

12 The hearing will be conducted in accordance with
13 provisions of 11-Z DCMR, Chapter 4 as follows: preliminary
14 matters; applicant's case. I think the applicant has up to 60
15 minutes, but certainly from what I read the merits of this case,
16 I think we can really streamline it significantly. We have the
17 report of the Office of Planning and Department of
18 Transportation; report of other government agencies; report of
19 the ANC. In this case, I think it's 7C. Let me make sure I got
20 that right. Yes, 7C; testimony of organizations and individuals.
21 Organizations will have five minutes and individuals will have
22 three minutes. And we will hear in the following order from
23 those who are in support, opposition or undeclared. Then we'll
24 have rebuttal and closing by the applicant.

25 Again, the OZ hotline number is 202-727-5471 for any

1 concerns during these proceedings.

2 At this time, the Commission will consider any
3 preliminary matters. Does the staff have any preliminary
4 matters? Ms. Schellin?

5 MS. SCHELLIN: Just very quickly. The applicant is
6 asking for a waiver of the 40-day posting requirement at Exhibit
7 18. They posted for 37 days instead of 40, and would ask the
8 Commission if they would waive that, those three days they missed.

9 CHAIRPERSON HOOD: Any objections, any questions?

10 MS. SCHELLIN: Okay.

11 CHAIRPERSON HOOD: Hold on a second. Commissioner May?

12 COMMISSIONER MAY: (No audible response.)

13 CHAIRPERSON HOOD: Yeah. I've been around a while. I
14 can tell (indiscernible).

15 COMMISSIONER MAY: Speak up and suggest that we
16 postpone the hearing, so you can blame something on me, but that's
17 okay.

18 MS. SCHELLIN: Is it something legitimate?

19 COMMISSIONER MAY: I think we're okay.

20 MS. SCHELLIN: Okay. There's only one expert witness
21 being proffered that he's previously been accepted. It seems
22 like even just the -- I think we see him on the regular now,
23 Erwin Andres. We should just give him a permanent seat. Just
24 want to make sure that you're good with accepting him in this
25 case.

1 CHAIRPERSON HOOD: Any objections, Commissioners?

2 (No audible response.)

3 CHAIRPERSON HOOD: Okay. We won't do him like we did
4 Mr. Sherrer (phonetic) because he has about 40 more years to do
5 and then we might consider it.

6 MS. SCHELLIN: Yes, then you might consider taking him
7 off.

8 The applicant has advised that they are probably going
9 to stand on the record. We have Karen Thomas from the Office of
10 Planning, Kelsey Bridges from DDOT. I don't believe there's
11 anyone from the ANC on as of yet, but I will keep checking and
12 we'll go from there. So I'll turn it over to the Commission and
13 have Mr. Young bring up the applicant, Ms. Batties and/or Mr.
14 Cohen and their party, Mr. Fears.

15 CHAIRPERSON HOOD: Okay. Thank you, Mr. Young, and Ms.
16 Schellin.

17 Ms. Batties, you've heard the conversation. I don't
18 think we need a long -- if you can just do a three minute, unless
19 my colleagues think otherwise. Just give us -- tell us what the
20 case is about and that's probably about all I think we need unless
21 you all have a full presentation. I'll leave it up to you.

22 Good afternoon. I think you're on mute.

23 MS. BATTIES: Okay. Good afternoon. Can you hear me
24 now? Leila Batties and Chris Cohen with Holland & Knight
25 representing the applicant, Providence Place I, LP. Also,

1 representing the applicant this evening is Mr. Erwin Andres of
2 Gorove Slade. And our architect, Bill Fears with Torti Gallas
3 is available to answer any questions you might have regarding the
4 construction or the design of the building.

5 The request is for the approval of a modification of
6 significance that grants flexibility from the vertical clearance
7 height for the loading area. Specifically, the applicant seeks
8 -- I'm sorry, I said, seeks flexibility to allow a vertical
9 clearance height of 12 feet, 6 inches, where Subtitle C, Section
10 905.2 requires a vertical clearance of 14 feet. I really -- the
11 record -- straight -- is clean. The request is really
12 straightforward. So I'm going to -- I'll let Erwin Andres just
13 speak briefly as to why the request is sufficient to support the
14 building, which is under construction, a 93-unit, all affordable
15 building, and then after that we can conclude our remarks or
16 testimony. Thank you.

17 MR. ANDRES: Good evening, Chairman, members of the
18 Commission. For the record, my name is Erwin Andres, Principal
19 and Vice President with Gorove Slade.

20 Relative to Ms. Batties' introduction, we've work with
21 the client as well as with DDOT to develop a loading management
22 plan, that DDOT finds acceptable, that would allow for the truck
23 activity associated with the proposed loading dock at a limited
24 height of 12 feet, 6 inches. As identified and as detailed in
25 our memorandum, it's important to note that most -- actually

1 practically all of the deliveries relative to move ins and move
2 outs for the vehicles that we anticipate for this type of
3 residential use would be accommodated under that 12 foot, 6
4 inches. In the event that a vehicle is -- that arrives that is
5 greater than that, we've identified a curbside loading space for
6 that type of activity which DDOT seems to be in support of. So
7 with that, I'm available for questions, and thank you for your
8 time.

9 MS. BATTIES: And I don't know, Mr. Young, we did
10 present a very short PowerPoint that includes a diagram on Slide
11 either 3 or 4 that shows a 30-foot-long truck fitting within the
12 12 foot, 6 inch vertical clearance if you can pull that up.

13 Thank you. So Mr. Chairman and members of the
14 Commission, that concludes our testimony, and we'll be happy to
15 answer any questions that you have.

16 CHAIRPERSON HOOD: Thank you, Ms. Batties, Mr. Andres,
17 and others. I thought we were going to hear this spectacular
18 presentation when I saw the PowerPoint go up, so I guess I'll
19 just have to remember it. I know we have it. But let me see if
20 there are any questions or comments. Commissioner May?

21 COMMISSIONER MAY: I'm doing to make light of this
22 case, but it sort of feels like the whole case could just be
23 summed up with "oops."

24 MS. BATTIES: Essentially, yes. They discovered the
25 error -- or I don't even know if it's an error. They discovered

1 during construction that they couldn't make the vertical
2 clearance.

3 COMMISSIONER MAY: Yeah, "oops." It's not a big deal.
4 I mean, the loading demands in this building are not going to be
5 substantial, so I don't see that there's any real complication.
6 But yeah, everybody's human, stuff happens. Thank you.

7 CHAIRPERSON HOOD: So, Commissioner May, you have set
8 another trend. All these years, I've never heard of the "oops"
9 case. This case will be the "oops" case.

10 COMMISSIONER MAY: Well, I'd say I don't remember there
11 ever being another "oops" case in my -- I don't know. How long
12 have I been here now? About 20 years? Not 20 years; 17 or
13 something like that. Yeah. I don't remember any -- I mean,
14 there probably have been, but I can't remember them, so "oops"
15 on my part.

16 CHAIRPERSON HOOD: All right. I don't -- but I like
17 that "oops." We're going to keep that one.

18 Commissioner Imamura.

19 COMMISSIONER IMAMURA: Thank you, Mr. Chair.

20 Certainly, I appreciate Commissioner May's levity on
21 this project. I do have one question. I just want to confirm.
22 Whose is it? About DDOT's suggestion for installing a low
23 clearance bar at the garage, just noting the 12.6 inch height
24 rule.

25 MR. ANDRES: Yes. We agreed to that condition. It's

1 a situation where, you know, that it's commonly called a "knock
2 bar," whereas a vehicle if it's taller than 12 foot 6 would
3 essentially hit that knock bar and would not create -- would not
4 damage the actual structure or the facade of the building. And
5 it would alert the motorists that he or she would need to back
6 up and use the curbside space.

7 COMMISSIONER IMAMURA: I appreciate that.

8 MR. ANDRES: Thank you.

9 COMMISSIONER IMAMURA: That's all that I have, Mr.
10 Chair.

11 CHAIRPERSON HOOD: Thank you. Vice Chair Miller.

12 VICE CHAIR MILLER: Thank you, Mr. Chairman and thank
13 you, Ms. Batties, and Mr. Andres for your presentation.

14 And the -- only just to remind everybody and myself
15 that this -- I'm glad this project is under construction. It's
16 95 units as Ms. Batties said, all affordable housing including
17 importantly, I believe, I don't have it in front of me because I
18 had some printing problems. But it's 35 replacement units for
19 the Lincoln Heights public housing, so that's very important.
20 It's under construction. It's a new community. It's been long
21 in the works and it's good to see that it's moving forward.

22 The only other comment I would make, Mr. Chairman,
23 maybe in light of Commissioner May's light comment, maybe we need
24 to look at our modification of significance criteria because
25 obviously, this didn't need a public hearing. And not that we're

1 going to waste a lot of time on it or spend a lot of time on it.
2 We're not wasting time, any time. But maybe we just need to look
3 so that this could have been even more expedited than it already
4 is.

5 CHAIRPERSON HOOD: Okay. Thank you, Vice Chair, for
6 those comments. I think you're exactly right. We just need to
7 figure out. We have a long laundry list of issues that we need
8 to deal with and that's one of them. Anyway, I'll leave it at
9 that. But yeah, let's remember to maybe opine and maybe I guess,
10 ask the Office of Planning if we can add another process. I'm
11 not sure. I don't want to talk off the cuff, but I agree with
12 you. I don't know how we get there, but let's look at it.

13 All right. I don't have any questions other than Ms.
14 Batties, DDOT has made a recommendation. The clearance bar, I'm
15 sure you have no issues with that. Okay. All right. So I think
16 that's all I saw. Let's go to the Office --

17 Ms. Schellin, do we have anyone from ANC here that they
18 want to cross?

19 MS. SCHELLIN: Ms. Batties, who is -- is Robert Byrne,
20 one of the ANC folks?

21 MS. BATTIES: No.

22 MS. SCHELLIN: No.

23 MS. BATTIES: He is the developer representative.

24 MS. SCHELLIN: Okay. Then there is no one else on.

25 CHAIRPERSON HOOD: Okay. ANC 7C is Chairman Antoine.

1 Well, I forgot his last name, but I know Antoine, but anyway.
2 All right. Let's go to the Office of Planning.

3 VICE CHAIR MILLER: Commissioner Holmes.

4 CHAIRPERSON HOOD: Commissioner Holmes. Thank you.

5 VICE CHAIR MILLER: I spent the better part of yesterday
6 morning with him at a BZA case, so he's fresh on my mind.

7 CHAIRPERSON HOOD: Yeah. Commissioner -- I appreciate
8 all the work that they do, because I like his format. He goes
9 to the civic meetings and everything, but I'll get to that when
10 we get there.

11 Let's go to the Office of Planning. Ms. Thomas, I
12 don't think we need -- I mean. I'll turn it over to you.

13 MS. THOMAS: Yeah. Good afternoon, Mr. Chair, and
14 members of the Commission. Nothing further to add. And we rest
15 on the record of our report. Thank you.

16 CHAIRPERSON HOOD: Thank you, Ms. Thomas.

17 Any questions of Ms. Thomas?

18 (No audible response.)

19 CHAIRPERSON HOOD: Does the applicant have any
20 questions?

21 (No audible response.)

22 CHAIRPERSON HOOD: Okay.

23 MS. BATTIES: No.

24 CHAIRPERSON HOOD: And again, we don't have
25 Commissioner -- Chairperson Holmes on as of yet.

1 All right. Let's go to other government agencies. I
2 think that's been taken care of. I think that's been discussed
3 in this case.

4 MS. SCHELLIN: DDOT, Ms. Bridges.

5 CHAIRPERSON HOOD: Is Ms. Bridges here? Oh. Okay.
6 Let's go to Ms. Bridges. Okay. Ms. Bridges. Sorry.

7 MS. BRIDGES: Hello.

8 CHAIRPERSON HOOD: Ms. Bridges, you may begin.

9 MS. BRIDGES: I'm doing well. Yourself?

10 CHAIRPERSON HOOD: (No audible response.)

11 MS. BRIDGES: Yeah. Good evening, Chairman Hood, and
12 members of the Commission. I'm Kelsey Bridges with the District
13 Department of Transportation.

14 DDOT is supportive of the applicant's proposal. As you
15 heard in the presentation, the applicant has coordinated with
16 DDOT and has come to an agreement with the applicant on a loading
17 management plan to mitigate the loading clearance. The applicant
18 has agreed to the additional loading management plan revision
19 requested by DDOT. And with the agreed to loading management
20 plan included in the final zoning order and continued
21 coordination with DDOT, DDOT has no objection to the approval of
22 this application.

23 CHAIRPERSON HOOD: Okay. I'm sorry about that. I was
24 opening up another file and the other file was too big, and I
25 couldn't get it. Sorry about that. Thank you.

1 Any questions of Ms. Bridges?

2 (No audible response.)

3 CHAIRPERSON HOOD: Okay. Does the applicant have any
4 questions of Ms. Bridges?

5 MS. BATTIES: No.

6 CHAIRPERSON HOOD: Okay. And again, we don't have
7 Commissioner -- Chairperson Holmes. I am trying to pull up the
8 ANC report. Let me do it this way, and it keeps opening up
9 somewhere else. Hold on one second. Here it is. Sorry about
10 that.

11 As Ms. Schellin has already stated, we don't have
12 Chairperson Holmes, but I wanted to read what the -- they support
13 the modification of significance, specifically the vote. Okay.

14 "With six of the seven Commissioners in attendance, our
15 Commission voted 6-0-1 to support the application filed by
16 Providence Place I, LP, the applicant."

17 So Chairman Antoine Holmes supports this -- his ANC
18 supports the application. We'll give them great weight and
19 appreciate their -- all their work that they always do.

20 Do we have, Ms. Schellin, anyone who would like to
21 testify either in support, opposition -- any organizations or
22 individuals who would like to testify either in support,
23 opposition or undeclared?

24 MS. SCHELLIN: No, sir.

25 CHAIRPERSON HOOD: Okay. And Ms. Batties, I don't

1 believe you have any rebuttal. Do you have any closing?

2 MS. BATTIES: No, other than to just note that the
3 modification of significance does not affect the Commission's
4 analysis as it relates to consistency with the Comp Plan. It's
5 not unreasonable and judged against the PUD benefits and
6 amenities. And actually, there's no real practical way for the
7 developer to address the vertical clearance without significant
8 costs that couldn't be absorbed by an all affordable project, so
9 with that, we'd ask that the Commission approve this application.
10 Thank you.

11 CHAIRPERSON HOOD: Okay. Thank you, Ms. Batties and
12 team.

13 Any follow up questions of the applicant?

14 VICE CHAIR MILLER: I just -- Mr. Chairman. I just
15 appreciate Ms. Batties bringing up the Comprehensive Plan. That
16 reminded me what I meant to say to Ms. Thomas, appreciating it
17 in her hearing report. She did include the racial equity analysis
18 that is required for all Comp Plan consistency cases. So even
19 though this -- that consistency was already evaluated previously,
20 and this modification of significance wasn't affected, we
21 appreciated the Office of Planning providing that analysis.

22 CHAIRPERSON HOOD: Okay. Commissioner May? You're on
23 mute, Commissioner May.

24 COMMISSIONER MAY: A question for Mr. Andres. Mr.
25 Andres, it looks like you're calling from your car; is that

1 correct?

2 MR. ANDRES: Yes, Commissioner May. We got an email
3 saying that the roads around -- our office is by Farragut North
4 and they're -- apparently, they are closing roads in the vicinity
5 of the White House for the, I believe, it's the Christmas tree
6 lighting.

7 COMMISSIONER MAY: Right.

8 MR. ANDRES: So I got stuck and I was trying to get
9 home before that. But unfortunately, I was -- I've been
10 sidelined, so yes, Mr. May -- that's why I tried to blur my
11 background but --

12 COMMISSIONER MAY: I just want to note how appropriate
13 it is to have our transportation consultant calling in from his
14 car. And I apologize on behalf of the National Park Service for
15 getting you hung up at the Christmas tree lighting, you know.
16 Sorry about that.

17 MR. ANDRES: No, it's a fantastic event, so if it
18 weren't COVID, I'd probably go to the event myself.

19 COMMISSIONER MAY: All right. That's it. It's okay.

20 CHAIRPERSON HOOD: Mr. Andres, I will say that
21 Commissioner May has a seat over there. It's probably on the
22 front row, so if you go over there and just use his name because
23 he's obviously at home. But go over there and use his name. I'm
24 sure you'll have a seat at the front.

25 COMMISSIONER MAY: Yeah. I don't know about that.

1 CHAIRPERSON HOOD: All right. So we have the request
2 in front of us, Commissioners. I think this is pretty
3 straightforward, unless there's something. And I appreciate also
4 the racial equity piece that as Mr. -- as the Vice Chair has
5 mentioned, so I won't opine anymore on that.

6 Let's see, Ms. Lovick has appeared, so there must be
7 something we have forgotten.

8 MS. LOVICK: Yeah. I didn't mean to appear. I hit
9 the wrong button. But I -- since I appeared, I'll say Mr. May,
10 you've got a lot of jokes this evening. The calling out people
11 in their cars. I'm glad you're in a light-hearted -- good for
12 you.

13 COMMISSIONER MAY: No, it's been a long day, you know,
14 it was an NCPC day. So I've been sitting in my chair and talking
15 into the screen for three plus hours already.

16 CHAIRPERSON HOOD: It's good to have it sometime
17 because it's not often, so if you get it, capitalize it. "Seize
18 the moment," as my wife always tells me.

19 All right. Okay. So Ms. Lovick, we don't have any
20 legal issues. I get nervous when I see you pop up, but since
21 we're good. All right. So I think we have this in front of us.
22 I think it's pretty straightforward. So let's go ahead and not
23 belabor the point. Let me ask one of my colleagues to make a
24 motion to obviously approve. I have to say that in this case.

25 VICE CHAIR MILLER: Chairman -- Mr. Chairman, I would

1 move that the Zoning Commission take action on 17 -- Case 17-
2 08A, Providence Place, PUD modification of significance at Square
3 5194, Lot 827 at 50th Street Northeast and ask for a second.

4 COMMISSIONER IMAMURA: Second.

5 CHAIRPERSON HOOD: Okay. It's been moved and properly
6 seconded. Any further discussion?

7 COMMISSIONER MAY: Mr. Chairman.

8 CHAIRPERSON HOOD: Commissioner May.

9 COMMISSIONER MAY: With regard to the mere fact that
10 we had to have this hearing -- I'll get serious for a second,
11 sort of. Yeah, I agree with the Vice Chair that including, you
12 know, modifying the language for modifications of significance,
13 so that we can make a judgment call on something like this where
14 it's not that -- it's clearly not that significant, makes sense.
15 I think the concern I would have is that we would want this
16 something to be essentially sua sponte, right? Not -- of our
17 volition, not something that an applicant could ask for. I think
18 we just would have to be careful about that, because the last
19 thing we want to do is to have everybody presenting all their
20 projects as if they could, you know, that are -- according to
21 the rules, the modification of significance, but somehow could
22 be handled as a modification of consequence instead. So I'm all
23 for inserting some sort of "oops" provisions, so long as we
24 protect against that.

25 CHAIRPERSON HOOD: Okay. So what we'll do, Vice Chair,

1 I believe my colleagues if you all -- if we can remember. I
2 think in our meeting, when we get to the point where we -- when
3 we finish everything, there's a point in there where we can talk
4 to the Office of Planning. And I know Commissioner May wants to
5 put the "oops" provision in, so he can be like our good friend -
6 - the late Herb Franklin who had the --

7 COMMISSIONER MAY: That's right.

8 CHAIRPERSON HOOD: -- extension of modifications and
9 extensions of PUD. So let's remember to do that. And I'm
10 counting on all of us Commissioners to remember to pass that to
11 OP.

12 Ms. Schellin, you have something? Well wait a minute.
13 Are we in the middle of a motion?

14 MS. SCHELLIN: You're in the middle -- yeah. I'm not
15 --

16 CHAIRPERSON HOOD: Okay.

17 MS. SCHELLIN: -- (indiscernible).

18 CHAIRPERSON HOOD: All right. It's been moved and
19 properly seconded.

20 MS. SCHELLIN: It's ready to call -- I'm waiting for
21 you to call the vote.

22 CHAIRPERSON HOOD: Okay. Any further discussion? In
23 other words, you want me to be quiet. Any further discussion?

24 (No audible response.)

25 CHAIRPERSON HOOD: Okay. Ms. Schellin, would do a roll

1 call vote, please?

2 MS. SCHELLIN: Yes. Commissioner Miller?

3 VICE CHAIR MILLER: Yes.

4 MS. SCHELLIN: Commissioner Imamura?

5 COMMISSIONER IMAMURA: Yes.

6 MS. SCHELLIN: Commissioner Hood?

7 CHAIRPERSON HOOD: Yes.

8 MS. SCHELLIN: Commissioner May?

9 COMMISSIONER MAY: Yes.

10 MS. SCHELLIN: The vote is 4-0-1. Commissioner Shapiro
11 not present, not voting to take -- let's see, final action on
12 this case because it does not need to be referred to NCPC. And
13 I assume the Commission will approve a --

14 CHAIRPERSON HOOD: Summary order.

15 MS. SCHELLIN: -- summary order for this.

16 CHAIRPERSON HOOD: Yes, summary.

17 MS. SCHELLIN: Yes. If you could provide that within
18 two weeks, that would be great. I was just going to say, if I
19 might, the case that's been out there forever, 19-05, that was
20 set down by the Commission almost three years ago, I think,
21 actually, was revamping the modification of consequence and
22 modification of significance language. Ms. Lovick, am I not
23 correct on that? And actually, it was no longer going to be
24 called significance and consequence. It was going to be
25 modification with a hearing modification without a hearing. Am

1 I not correct, Ms. Lovick?

2 MS. LOVICK: Yes. I remember working on it.

3 MS. SCHELLIN: It was being revised in the middle of
4 -- Allen actually started revising it. And as you know, it's
5 been held up by some. So we are going to get back to that. Our
6 goal at this point has been to catch up on orders, but it is
7 there, and we will get back to it hopefully after the first year
8 and bring it back to you for a reset down.

9 CHAIRPERSON HOOD: Okay. Yeah, after three years,
10 we're going to have to revisit it because --

11 MS. SCHELLIN: Yeah.

12 CHAIRPERSON HOOD: So okay. It sounds good.

13 MS. SCHELLIN: We'll be set down.

14 CHAIRPERSON HOOD: Okay. But we're going to rename it
15 now the "oops" case.

16 MS. SCHELLIN: Yes.

17 CHAIRPERSON HOOD: Commissioner May, you have something
18 else?

19 MS. SCHELLIN: We'll call it the modification of
20 "oops."

21 VICE CHAIR MILLER: (Indiscernible).

22 CHAIRPERSON HOOD: The "oops" amendment.

23 MS. SCHELLIN: And "oopsie."

24 COMMISSIONER IMAMURA: The "May Amendment."

25 CHAIRPERSON HOOD: Does anybody have anything else?

1 MS. SCHELLIN: No, that's it.

2 CHAIRPERSON HOOD: All right. The Zoning Commission
3 is going to meet again December the 6th, and we have two cases.
4 The first one is Zoning Commission Case No. 21-16. Though I'm
5 scared to open my files, I don't know what may happen. And the
6 next case is Howard University, Zoning Commission Case No.
7 20-08A. And this is December 6th at 4:00 p.m. on these same
8 platforms.

9 MS. SCHELLIN: Yes.

10 CHAIRPERSON HOOD: So with that, unless I hear from
11 anyone else -- and we want to thank Mr. Fears who has been on
12 screen -- he didn't get a chance to present, but we thank him
13 for being with us this evening and anyone else that I may have
14 left off. So with that, I want to thank everyone for their
15 participation tonight in this "oops" case, and have a great
16 evening. Good night.

17 (Whereupon, the above-entitled matter went off the
18 record at 4:27 p.m.)

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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: 12-02-21

Place: Teleconference

was duly recorded and accurately transcribed under my
direction; further, that said transcript is a true and
accurate record of the proceedings.

GARY EUELL

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