

OFFICE OF PLANNING STAFF PRESENT:

STEPHEN COCHRAN

OFFICE OF ZONING LEGAL DIVISION STAFF PRESENT:

JACOB RITTING, ESQ.

The transcript constitutes the minutes from the Public Hearing held on December 13, 2021.

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

OPENING STATEMENT:

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PRESENTATION:

Case Number: 06-10G - The Morris and Gwendolyn Cafritz
Foundation - Modification of Significance to an Approved
Planned Unit Development - Block B of Art Place at Fort
Totten (Square 3765, Lot 10 and Square 3767, Lot 1)
Ward 5 8

COMMENTS AND QUESTIONS:

Commissioners 18

VOTE:

Commissioners 51

CLOSING REMARKS:

Anthony Hood 52

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Anthony Hood 52

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

(4:00 p.m.)

CHAIRPERSON HOOD: Good afternoon, ladies and gentlemen. Today's date is December the 13th, 2021. We are convening and broadcasting this public hearing by videoconferencing. My name is Anthony Hood, and I'm joined by Vice Chairman Miller, Commissioner May, Commissioner Shapiro, and Commissioner Imamura. We're also joined by the Officer of Zoning staff, Ms. Sharon Schellin, also Mr. Paul Young, who's handling all of our virtual operations. Also, we're joined by the Office of Zoning Legal Division, Mr. Ritting. 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 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. When called, please state your name and home address before providing your

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1 testimony. When you are finished speaking, please mute your
2 audio.

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

9 Tonight's subject is Zoning Commission Case No.
10 06-10G. This is the Morris and Gwendolyn Cafritz Foundation, PUD
11 Modification of Significance at Square 3765, Lot 10, at Square
12 3767, Lot 1, Block B of Art Place at Fort Totten.

13 The hearing will be conducted in accordance with the
14 provisions of 11Z DCMR Chapter 4 as follows: preliminary matters,
15 the applicant's case, the applicant has up to 60 minutes. I
16 think we can do it in 15 to 20, and if they can hit the highlights
17 and the changes and what support they have, I think that will be
18 more sufficient for our proceeding. The report of the Office of
19 Planning and District Department of Transportation; the Report
20 of other government agencies; the report of the ANC. In this
21 case, we have ANC 5A as well as 4B, I believe. Testimony of
22 organizations and individuals. Organizations will have five
23 minutes, and individuals will have three minutes. And we will
24 hear in the following order from those who are in support,
25 opposition, or undeclared, and then we'll have rebuttal and

1 closing by the applicant.

2 Again, the Office of Zoning hotline number is 202-727-
3 5471 for any concerns during this proceeding. At this time, the
4 Commission will consider any preliminary matters. Does the staff
5 have any preliminary matters? And before Ms. Schellin goes, I
6 do know that we have parties in this case, so we will govern
7 ourselves accordingly.

8 Okay, Ms. Schellin?

9 MS. SCHELLIN: Yes, sir. So the only parties we have
10 are the, of course, the applicant and the two ANCs. And we have
11 Ronnie Edwards for 5A and either Yvonne, I'm sorry, Evan Yeats
12 or LaRoya Huff for 4B. And there are two expert witnesses, Jami
13 Milanovich, who has previously been approved by the Commission,
14 and then I'm sure I'm going to mess this name up, Tomas Quijano,
15 and he's being proffered in architecture. His resume is at
16 Exhibit 20D. The Commission would consider that and approve Ms.
17 Milanovich in this case in transportation.

18 CHAIRPERSON HOOD: So the only person that we have not,
19 we have, have we -- Mr. Quijano? Has he been accepted?

20 MS. SCHELLIN: No, it was written that we have, but
21 that was actually in the BZA. He's testified before the BZA.

22 CHAIRPERSON HOOD: Oh, okay. Well, certainly, we don't
23 want to adopt what the -- no, I'm just playing. Let's look at
24 his resume, and see if we have any objections to him being
25 proffered expert status. Any objections?

1 COMMISSIONER SHAPIRO: No objections.

2 CHAIRPERSON HOOD: Nobody? Okay. So he will, we will
3 continue the status that the BZA has given to Mr. Quijano. And,
4 hopefully, we pronounce his name correctly, but I'm sure if not,
5 he will correct us. And I think, Ms. Milanovich, we will continue
6 with that status, unless I hear any objections.

7 (No audible response.)

8 Not seeing any.

9 Ms. Schellin, id that everybody?

10 MS. SCHELLIN: Those were the only experts. And Mr.
11 Tummonds is representing the applicant. And they have asked for
12 -- they don't think it will take more than 10 minutes to --

13 CHAIRPERSON HOOD: Oh.

14 MS. SCHELLIN: -- to give their case this afternoon.
15 And later this afternoon, we received a report from ANC 5A at
16 Exhibit 28. I believe Mr. Barron has released that in ZDOCs for
17 you, so you should be able to access that at Exhibit 28.

18 CHAIRPERSON HOOD: Okay. So I think everything is in
19 order. Ms. Schellin, we can ask Mr. Tummonds and his team, they
20 can come up.

21 Mr. Ritting?

22 MR. RITTING: Yeah, I just wanted to ask a question to
23 Ms. Schellin.

24 I believe the Lamond-Riggs Citizens Association was a
25 party in the original case, and I just wanted to make sure you

1 | didn't leave them out inadvertently.

2 | MS. SCHELLIN: For modifications of significance, they
3 | have to reapply.

4 | MR. RITTING: Okay.

5 | CHAIRPERSON HOOD: And I do know that the -- I'm sure
6 | that if Lamond-Riggs, and I know how close some of the folks
7 | work, so I recognize some of the names. So I'm sure that one of
8 | the ANCs would have covered them, or they would have applied.
9 | But I'm sure they -- if there's a problem, I'm sure they'll let
10 | us know.

11 | MR. RITTING: Okay, good. Thanks.

12 | CHAIRPERSON HOOD: I feel comfortable moving forward.

13 | All right, Ms. Schellin, anything else?

14 | And thank you, Mr. Ritting, for bringing that up,
15 | because I was thinking -- and that's why I said parties. I was
16 | thinking they were too, but thank you, Mr. Ritting.

17 | MS. SCHELLIN: Yes, just like in the first -- I mean
18 | the second-stage PUDs, they have to reapply.

19 | CHAIRPERSON HOOD: Okay. And I'm sure Mr. Tummonds has
20 | everything in order, and we won't have any problems, so.

21 | Mr. Tummonds, you and your team may begin.

22 | MR. TUMMONDS: Great. Well, thank you very much.

23 | Good afternoon. I am Paul Tummonds with Goulston &
24 | Storrs, on behalf of the Morrison and Gwendolyn Cafritz
25 | Foundation, the applicant in this modification of significance

1 application. As we've noted in our supplemental statement, and
2 the Commission is well aware, the scope of these hearings,
3 conducted pursuant to the modification of significance process,
4 is limited to the impact of the modification on the subject of
5 the original application, and does not permit the Commission to
6 revisit its original decision. Therefore, we are able to provide
7 an abbreviated presentation this afternoon to focus solely on the
8 proposed changes to the approved Block B project.

9 I would note that this application has received the
10 unqualified support of OP, DDOT and ANC 5A in response to the
11 discussions we just had. We've had significant dialogue with the
12 Lamond-Riggs Citizens Association, President Barbara Rogers,
13 Paquita Wiggins, Chair of the Task Force, and they have submitted
14 their views into this case. And we believe that they are also
15 supportive of what we're proposing today.

16 We'll have two witnesses this afternoon, and then we'll
17 have Ms. Milanovich available to answer any questions that you
18 may have. Our first witness is Sean Cahill, on behalf of the
19 Foundation, and then Tomas Quijano. So with that, I will have
20 Mr. Cahill present his testimony.

21 MR. CAHILL: Good afternoon. And I'd like to thank the
22 Commission for the opportunity to hear us today and have the
23 opportunity to speak. I will keep it short, knowing that we have
24 a fair amount of information to go through.

25 And, Paul, I think that you can -- you and the team can

1 put forth the actual changes that have taken place.

2 I just want to remind the Commission that the Cafritz
3 Foundation is not new to this community. They have been there
4 since they -- since the 1940s. They have certainly worked over
5 these last many years to spark economic development in the
6 community through affordable housing and actually raising a
7 spurring development within the community with other developers,
8 such as JBG Smith and EYA developments that are currently there
9 or currently underway.

10 Phase B is the second phase of a four-phase project.
11 And, you know, the Cafritz Foundation's mission is to bring
12 affordable housing, affordable art, charter schools, children's
13 museums, and to bring together within the community what exists
14 today in trying to elevate that. As an example of that, there
15 are 58 schools within a two-mile radius of the project, and we
16 are looking to bring all of that together, both in -- with the
17 children's museum and the affordable housing, the affordable art,
18 and a food experience establishment that will service the
19 community and include both local chefs in the community, which
20 we consider the food facility to be another form of art. We're
21 also bringing the Aldi grocery store and a performance venue as
22 well as an immersive art experience.

23 Really for us, the time is now. We have our financing
24 commitment in place, and we look to bring forward a number of
25 these changes that we have made. And the changes were brought

1 | forth as a result of really a "black swan event," the pandemic,
2 | that brought to us some challenges and some opportunities. We,
3 | unfortunately, lost our lead tenant for the immersive art, Meow
4 | Wolf, although we may partner with them in the future. We have
5 | worked with them to decouple and part ways.

6 | What that brought to us was an opportunity to
7 | reevaluate the project in itself. We've left all of the same
8 | components that we had previously. We have added a few, 23
9 | housing units, and we have looked at the size and the density of
10 | the iconic commercial building, the Rotunda, which was much
11 | larger, much taller previously, basically designed around the
12 | operations of Meow Wolf. We now have much smaller, but still
13 | relatively large, immersive art space of over 35,000 to 40,000
14 | square feet that will be in the project. We are in conversations
15 | with a number of these operators to be able to come in and take
16 | the space. That, with the inline retail is the only space that
17 | is left open and available for leasing opportunities. So we feel
18 | very good about that.

19 | With the success of Phase A, we were well received
20 | within the community. Our housing stock has -- almost all of it
21 | has been leased, and we kept that at fully leased during the
22 | pandemic. So with that, I would turn it back to Paul. We can
23 | run through the actual physical changes that have taken place,
24 | which, again, we think was an opportunity to adjust the scale and
25 | refine the project both programmatically as well as

1 aesthetically.

2 Paul?

3 MR. TUMMONDS: Thank you, Sean.

4 CHAIRPERSON HOOD: Before we go back to you, Paul --
5 before we go back to you, I always -- when the young folks come
6 on, I always --

7 I didn't want to interrupt you, Mr. Cahill, but Archie
8 was listening to you when you talked about the schools and
9 everything, so I'm going to ask him, did he believe what you were
10 saying. No, I'm just playing.

11 But it was good to see Archie. I'm sorry, Vice Chair,
12 that you took him away, because that kind of makes the hearing a
13 hearing, especially when he's talking -- Mr. Cahill is talking
14 about schools, and we have a young person comes up and listens
15 to your testimony. So anyway. I thought I would throw that in
16 there.

17 VICE CHAIR MILLER: He didn't mean to be distracting.
18 He just wanted to hear about the schools, yeah.

19 CHAIRPERSON HOOD: Okay, good.

20 MR. TUMMONDS: Okay.

21 CHAIRPERSON HOOD: Ask him what he thought about it?
22 So anyway.

23 All right, Ms. Tummonds.

24 MR. TUMMONDS: Well, thank you. While Mr. Young is
25 pulling up our presentation, I would be remiss to not note that

1 Jane Cafritz is also with you -- with us here today, sitting next
2 to Mr. Cahill. And Ms. Cafritz is available to answer any
3 questions that you may have.

4 So Tomas, could you -- perfect.

5 Next slide, please. Perfect. And so, I'll just --
6 this is just an outline, and then I'll have Mr. Quijano go in
7 -- that just discussed all of the modifications that we are
8 proposing. This has not changed since we originally presented
9 this case as a modification of consequence. I would say that
10 for the -- from the building perspective, we had originally
11 proposed changes to the color palette. We are no longer proposing
12 any changes to the color pallet. So the color palette that was
13 approved by the Commission during the Zoning Commission Case
14 06-10D, as in "dog," will remain. And we're excited to quickly
15 walk through the additional changes and then be able to answer
16 any questions that you may have.

17 Next slide, please.

18 And Tomas, I'll pass it off to you.

19 COMMISSIONER SHAPRIO: Are you sure he's not on mute?

20 MR. TUMMONDS: Yeah, I think we're having --

21 CHAIRPERSON HOOD: Yeah, I think he's on mute or --

22 MR. CAHILL: Paul, should we just walk him through?

23 MR. YOUNG: Sure.

24 MR. QUIJANO: Sorry, I thought I was unmuted.

25 CHAIRPERSON HOOD: There we go. Easy.

1 MR. QUIJANO: So this is just -- these -- this is the
2 elevation along 4th Street, looking at the drum and the food
3 hall. What we're just highlighting here is a change in scale of
4 the drum within the drum. It's a much more appropriate scale
5 for this neighborhood. Then the other thing that we're showing
6 is the additional berth on 4th Street to the left, number 4, just
7 not much change to the facade.

8 MR. TUMMONDS: All right, Tomas, can we --
9 Next slide, please?

10 MR. YOUNG: Yeah.

11 MR. QUIJANO: And this is the view from South Dakota
12 showing the same things. Really the only thing on the building
13 that's changing is the scale of the drum with the shins.

14 MR. TUMMONDS: Tomas, you're going to have to give the
15 -- yeah. There you go.

16 MR. QUIJANO: So this is -- these are the plan changes
17 just highlighting the top of the page, top right. We had the
18 additional units that are added. They're additional residential
19 units, and we're just relocating the dog park and with those
20 units, the additional loading berth and some relocation of some
21 services that are required because of the change in the garage
22 footprint. And then on the left side, because of the scale of
23 the drum, we've -- we removed the floor element in the plan to
24 make the plaza more in keeping with the scale of the drum.

25 Next slide. And these are the improvements to the

1 pedestrian safety.

2 Next slide. Next slide. And then with the addition
3 of the 23 units, we have begun -- we're incorporating inclusionary
4 zoning units. And this is just showing the distribution. We're
5 adding three units, one of each kind and just placing them with
6 equity, in terms of view and access to daylight.

7 Next slide. And this -- these are all the floor plans.
8 The yellow highlighted are the inclusionary zoning units, and
9 then the turquoise are the artist units, which are also affordable
10 units. So there are 30 artist units all together and three IZ
11 units.

12 Next slide. These are the improvements for 3rd Street
13 connection. So we're including signage for a bike lane, which
14 is primarily a vehicle, and then we're reducing the speed limit
15 to 15 miles an hour.

16 Next slide. And then this is an overall diagram of
17 site circulation.

18 Next slide.

19 MR. TUMMONDS: Next slide, please.

20 MR. QUIJANO: And then this is the view before and
21 after the 3rd Street connection that is sort of -- we're really
22 keeping the same streetscape and adding a crosswalk and some
23 vehicle calming measures.

24 The -- next slide. That's it.

25 MR. TUMMONDS: I'm -- yeah, just to sum up, a couple

1 things.

2 Mr. Young, if you can go back to slide 9.

3 Since this application --

4 I'm sorry. Eight, I think, would be great.

5 Since this application was changed, if you will, from
6 a modification of consequence to modification of significance,
7 we spent a lot of time working with the Lamond-Riggs Citizen
8 Association, with ANC 5A and also ANC 4B to talk about this
9 extension of 3rd Street, so that it have -- can have both
10 vehicular, pedestrian and bicycle access. And so, what we've
11 shown here is, while there isn't the right of way width to have
12 a dedicated bike lane in this 200-foot stretch, through the
13 signage there is the sharrows signage, the reduced speed limit
14 for the school Zone, 15 miles per hour, and the signage to share
15 the road.

16 We believe that this is all sufficient to slow down the
17 cars that may be coming either, A, from the Metro station, or
18 coming up Kennedy coming around and then transferring --
19 traversing, if you will, over to 3rd Street. We believe it has
20 addressed the previous concerns that were raised by Lamond-Riggs,
21 by the ANC 5A, and you'll note that in the ANC 5A resolution for
22 this application, for the modification of significance
23 application, they're no longer requesting the dedicated bike
24 lane. They believe that the signage, the -- what we're proposing
25 here is enough to make sure that, and help ensure that we are

1 creating a safe environment for both vehicles, pedestrians, and
2 bicycles. And so, with that, I would say we're available to
3 answer any questions that you may have.

4 CHAIRPERSON HOOD: Thank you, Mr. Tummonds. I realize
5 that we're not to revisit the whole application, because this is
6 a modification of significance, only the parts that have changed,
7 but I think LRCA and 4B and 5A all together -- I know LRCA was
8 very involved in the initial -- very involved in the initial
9 case. So I'm just hoping, when I look at the 4B letter and the
10 other letters from the other Commission, and I'm hoping that some
11 of those issues from LRCA and others, 4 -- 5A and 4B, have been
12 worked out. Even though we don't revisit -- even though the --
13 we're starting to do development over there, things are starting
14 to materialize, there's some things that I think the applicant,
15 Mr. Cahill, knows would just automatically would just do to
16 improve the project. Everything can't always be scripted.
17 Everything can't always be written to us. But I believe from
18 what I -- the reports I see, it looks like everybody is working
19 well together, and I would ask that you all continue to work well
20 together, as we continue to develop over there. I think it's a
21 benefit to the neighborhood, so we'll go from there. I know
22 there were some "asks," but we cannot revisit everything, but I
23 would just ask that you to continue to -- your due diligence, as
24 it looks like has already been done, in working with the
25 community. So thank you. Thank you, first of all. And Mr.

1 Hayden, I haven't heard from him yet verbally, but I have -- I'm
2 looking at what's in the record. So let's open it up for any
3 questions or comments.

4 Commissioner May?

5 COMMISSIONER MAY: Yeah. Well, first, thanks for the
6 presentation. This is -- I mean, I think that generally speaking,
7 the changes that were being proposed that we first considered
8 when you proposed the modification of consequence, and they're
9 all, I think, beneficial changes, for the most part. And I don't
10 have any great heartburn about any of those changes, but it was
11 a lot of things that were changing. And so, therefore, it was
12 necessary, I think, to have the hearing and give the public the
13 opportunity to respond and give the ANCs and some of the
14 organizations the opportunity to weigh in on it. So I'm glad
15 we're having a hearing, even if it's going to be a -- hopefully,
16 a relatively quick exercise. The -- I did have a question -- I
17 only had a couple of questions. One is the --

18 Can we bring up the slide of the distribution of units?
19 I forget what number it was. Slide 7. There we go.

20 So with the artist units, was that distribution
21 previously decided in the prior case, or is that being proposed
22 right here and now?

23 MR. CAHILL: Paul, do you want to take that?

24 MR. TUMMONDS: Sure.

25 I think it was previously decided.

1 MR. CAHILL: Yeah.

2 COMMISSIONER MAY: It was previously decided. Okay.
3 I'm a little surprised, because it's the sort of distribution
4 that we often would have issues with. I don't want to revisit
5 it at this moment, if we previously decided it. But it does seem
6 like a lot of them are clustered in a certain part of the
7 building. It's all in the wing that's off to the right in our
8 view. I guess -- I mean I do have a question. Is there a
9 practical reason for that, because those units are more suitable
10 for artists? Is there something about those units?

11 MR. CAHILL: It's -- if I may -- this is Sean Cahill.
12 It's in very close proximity to the "makerspace" that we have
13 created on the ground level of the north building that you see a
14 number of the artist units are located. So yes, there is
15 makerspace on the inline ground floor retail areas for their use.

16 COMMISSIONER MAY: Okay. Well, that's helpful. That
17 was the -- what I was kind of hoping would explain it, that there
18 would be some practical reason why it made sense for them to be
19 there. My other question is on 3rd Street --

20 Can we bring up that slide? It's slide 8. Actually,
21 it's the next -- one more. Slide 8? There it is.

22 Yeah, so I'm curious. I mean the -- I'm not sure who
23 made this statement, or maybe it was you, Mr. Tummonds, but the
24 reason why there's not a -- couldn't do a dedicated bike lane
25 there was that there was not sufficient width. But when I look

1 at this diagram, there's plenty of width. Explain to me what
2 I'm missing.

3 MR. TUMMONDS: Yeah. Maybe I'll punt that over to Jami
4 Milanovich.

5 MS. MILANOVICH: And so, it's actually the right of way
6 widths. So the width within DDOT's right of way is not sufficient
7 to allow -- as you can see, we don't even have on street parking
8 on this section of 3rd Street. So in order to get two travel
9 lanes, one in each direction, plus sidewalks on both sides of the
10 street within DDOT's right of way, there is not enough width to
11 also include a bike lane, a separate bike lane.

12 COMMISSIONER MAY: So how much -- what's the actual
13 dimension?

14 MS. MILANOVICH: If you give me a minute, I will find
15 that.

16 MR. TUMMONDS: And as Ms. Milanovich is looking at
17 that, we also aligned, as you showed with the image, we aligned
18 this to meet, for lack of a better term, the existing 3rd Street
19 right of way that is constructed.

20 COMMISSIONER MAY: Uh-huh.

21 MR. CAHILL: Yeah. They align with the existing 3rd
22 Street and the existing Kennedy Street. The widths are exactly
23 the same.

24 COMMISSIONER MAY: Okay. And so, the green -- what's
25 rendered in green in this lower image, everything that's above

1 and below the sidewalks is actually private space. That's not
2 the DDOT right of way. Is that what that is?

3 MS. MILANOVICH: Correct.

4 COMMISSIONER MAY: Okay. And who owns all that
5 property?

6 MR. CAHILL: The Aventine, Greystar development. So
7 that's actually a very good question, Commissioner. This area
8 is outside our PUD itself. It's something that we actually are
9 -- we own the buildings. The Cafritz Foundation owns the building
10 where the two charter schools are, and so we were looking for a
11 stronger connectivity for those schools. We don't believe that
12 this is a cut through, because each one of the streets, Ingraham
13 and Galloway and Kennedy, all have traffic signals to them.

14 COMMISSIONER MAY: Right.

15 MR. CAHILL: So this was a way to respond to DDOT.
16 When we were extending the water line and putting in a designated
17 bike lane, DDOT came to us and asked us if we could create the
18 stronger of the two connectivities, where we would get vehicular,
19 pedestrian, and bicycle safely through this 180 linear feet.

20 COMMISSIONER MAY: Okay. And the actual vehicular
21 connection is a necessary connection for safety purposes or
22 convenience or -- I mean that -- what I'm wondering is whether
23 it could have been just a bike and pedestrian connection.

24 MR. CAHILL: Well, what is happening right now, and the
25 reason I believe that DDOT came to us is that there is a

1 hammerhead there at the end of Kennedy Street to the right side
2 of what you see as being improved.

3 COMMISSIONER MAY: Right.

4 MR. CAHILL: As people and buses and parents are
5 dropping off their children, they're dealing with a going up,
6 backing out, backing --

7 COMMISSIONER MAY: Yeah.

8 MR. CAHILL: -- turning around and coming back down
9 Kennedy. So we were responding to DDOT trying to get all of that
10 turn, three and four-point turns out of the equation and have
11 drive-thru.

12 COMMISSIONER MAY: Okay.

13 Ms. Milanovich, any progress on the width?

14 MS. MILANOVICH: Yes, I'm sorry. So I just measured
15 it. It's a 60-foot right of way width.

16 COMMISSIONER MAY: And do we -- I'm sorry if I missed
17 it, but is there something that describes that street section in
18 your report or in the submission? The 60 feet seems like it's
19 pretty large. You've got -- if you've got two vehicular lanes
20 at say 12 feet, being generous, and then two sidewalks, you know,
21 we're up to maybe 40 feet. I mean, I guess with tree boxes,
22 maybe it's -- see, 10. I mean, you can do 10, 10, and it would
23 still -- you'd still have 10 feet left over on either side. So
24 it's a little hard for me to understand why it's not possible.

25 MR. CAHILL: Well, Jami, I believe that we have two

1 drive lanes at 10 feet a piece. We have the curb and gutter.

2 MS. MILANOVICH: Correct.

3 MR. CAHILL: We have a fourth strip on each side of the
4 curb and gutter, and a six-foot-wide standard DDOT sidewalk on
5 each side as well.

6 COMMISSIONER MAY: Yeah. It's -- well --

7 MR. CAHILL: And we went -- and then we did --

8 COMMISSIONER MAY: Okay.

9 MR. CAHILL: When we looked at this, both with the
10 community and with DDOT, we asked DDOT if they would take one of
11 the sidewalks and make it into a designated bike lane. They are
12 reluctant to do that, because it doesn't exist anywhere else. It
13 would only exist in this 180 feet.

14 COMMISSIONER MAY: Yeah.

15 MR. CAHILL: It felt like that creates more of a safety
16 hazard for the cyclists coming in and out of the actual dedicated
17 bike lane itself.

18 COMMISSIONER MAY: No, I agree with that. It just --
19 I mean it -- I was expecting you to come back and tell me it was
20 like 45 feet or something like that, which would have been much
21 more restrictive, but 60 seems like it's got enough.

22 MS. MILANOVICH: Yeah, and I think the issue is that
23 we've got sort of that buffer on the back side of the sidewalk
24 where we're showing the additional trees.

25 COMMISSIONER MAY: Yeah.

1 MS. MILANOVICH: So I think -- I mean maybe I misspoke.
2 It's not that there's enough right of way. I mean we could fit
3 a bike lane in there within the right of way, but then we lose
4 that outside buffer zone where we have the additional tree
5 plantings. And then, as Sean pointed out, it would not then
6 match up with the adjacent cross section of the existing 3rd
7 Street. So that bike lane would terminate, and you would have
8 to transition, you know, perhaps through the intersection, to a
9 shared lane configuration.

10 MR. CAHILL: We'll still have the topography there.
11 Jami, we have a topography issue as well.

12 COMMISSIONER MAY: Okay. I'm not -- I'm going to --
13 I'll stop on this, because there's clearly a lot of people who
14 put thought into it. But it -- I might ask DDOT a question about
15 it. One last thing; are you taking any other special steps to
16 make sure that people obey the 15 mile an hour speed limit in
17 that section? I mean is there going to be any kind of treatment
18 of a pavement or speed bumps or things like that to slow people
19 down?

20 MS. MILANOVICH: So as of right now, we have not
21 proposed any type of raised crosswalks. We have the signage, and
22 then we have the marked crosswalks, but we've not proposed any
23 physical, raised crosswalks.

24 COMMISSIONER MAY: I guess that's another question for
25 DDOT then. All right. Thank you.

1 CHAIRPERSON HOOD: Okay. Thank you.

2 Commissioner Shapiro?

3 COMMISSIONER SHAPIRO: Thank you, Mr. Chair.

4 So question about the artist housing. I'm -- I
5 apologize if I'm not tracking this. The -- are any or some of
6 the artist housing units, are they subsidized in some way? Are
7 they affordable units, or they're all market rate?

8 MR. CAHILL: They are all --

9 MR. TUMMONDS: I'm sorry. You got it --

10 MR. CAHILL: I'm sorry. Go ahead, Paul.

11 MR. TUMMONDS: They're all -- that's part of the
12 previous approval. All 30 artist units are at 60 percent MFI.

13 COMMISSIONER SHAPIRO: Okay. So how are you managing
14 -- and I know this isn't -- maybe this is more out of my curiosity.
15 How are you managing who comes into the artist units? Are --
16 who are you partnering with? Are you doing that in house, and
17 how's that arranged over time?

18 MR. TUMMONDS: Culturally DC --

19 COMMISSIONER SHAPIRO: How is it organized once you do
20 that?

21 MR. TUMMONDS: Right. So pursuant to the previous
22 order, we -- we're required to have -- and I -- so basically --
23 we're required to have the artist makerspace be -- what I'm trying
24 to say, juried, but finding those makerspaces, we agreed to enter
25 into an agreement with a third-party artist organization. We

1 entered into that agreement with Cultural DC, and that they also
2 will help us find the artists to live in the units themselves.

3 COMMISSIONER SHAPIRO: Okay.

4 MR. TUMMONDS: And that is all pursuant to the
5 Affordable Housing Covenant that we are required to put on block
6 B.

7 COMMISSIONER SHAPIRO: Right. That's what
8 (indiscernible). Thank you for that.

9 I don't have any other questions, Mr. Chair.

10 CHAIRPERSON HOOD: Thank you.

11 Commissioner Imamura?

12 COMMISSIONER IMAMURA: Thank you, Mr. Chair. I think
13 Commissioner May and Commissioner Shapiro touched on some of the
14 same questions that I had. Not to belabor those issues, I did
15 want to just make note that I noticed the addition of three IZ
16 units based off of what Commissioner Miller had asked, and for
17 the 23 additional units that you certainly also saw somewhere.
18 But that was, you know, 13 percent, which is a much better number
19 than the three that it is. But just wondering, asking sort of a
20 rhetorical question, how can we do better and if we can do better
21 in some way, so.

22 On a positive note, I think, you know, the redesign to
23 address some of the massing and scale to be more in line with
24 the surrounding neighborhood, I saw those gestures in the
25 elevations and thought those changes were positive. And it looks

1 far better than everyone thinks.

2 With that, Mr. Chair, I don't have any other questions
3 and would yield my time to Vice Chair Miller.

4 CHAIRPERSON HOOD: Thank you.

5 Vice Chair Miller?

6 VICE CHAIR MILLER: Thank you, Mr. Chairman, and thank
7 you to the applicants' team; Paul Tummonds and Jane Cafritz, Sean
8 Cahill, all of you for bringing this forward, continuing to work
9 on this important project and your engagement and responsiveness
10 to concerns expressed by ANC 5A, Lamond-Riggs Citizens
11 Association, the Office of Planning, DDOT, myself, and other
12 Commissioners. So we really appreciate the continuing
13 engagement, responsiveness to work on this project.

14 And Commissioner Imamura stole my thunder by praising
15 the inclusionary zoning, which his predecessor, Commissioner
16 Turnbull, often did as well. So he's following in good footsteps
17 there, so I don't need to go there. Thank you for including
18 inclusionary zoning units amongst the additional residential --
19 the 23 residential units that are part of this modification.
20 And, as he noted, it's 13 percent. And we always would want to
21 see more. We always would want to see more, and at the deepest
22 below affordability levels possible. So appreciate that step in
23 this right direction. And I think the modification also includes
24 additional makerspace; is that correct, or was that -- was the
25 makerspace the same as previous? I think there was additional.

1 Maybe if someone can just confirm.

2 MR. TUMMONDS: Yes. Tomas?

3 MR. QUIJANO: There is, because we extended the one
4 tower to accommodate the 23 additional units, the ground floor
5 being makerspace was added on too.

6 VICE CHAIR MILLER: Right.

7 MR. QUIJANO: And I don't know, it's maybe like 12 or
8 13,000 square feet, I think, that we added.

9 VICE CHAIR MILLER: And so, the total amount of
10 additional -- the total amount of makerspace in the project is
11 -- do you happen to have that?

12 MR. QUIJANO: I can get that. It is -- I'd have to
13 see.

14 VICE CHAIR MILLER: I know it's in the record.

15 MR. QUIJANO: We don't actually have that broken out.
16 So that's could -- I'd have to go into the project documentation
17 for that.

18 VICE CHAIR MILLER: That's okay.

19 MR. QUIJANO: We don't have it broken out on the -- in
20 the presentation.

21 VICE CHAIR MILLER: Okay. And back to the -- include
22 the three additional inclusionary zoning units. Do you know --
23 happen to know off the top of your head, or close by, what that
24 brings the total number of affordable units in the overall
25 project? I know this project, I think, preceded the original

1 approval or preceded inclusionary zoning. But there was
2 affordable housing, part of -- that was part of the -- that --
3 part of the project. So can you just -- maybe just recap just
4 for us and the public what that total amount of units is,
5 including, you mentioned earlier, the artist units that are
6 affordable?

7 MR. QUIJANO: Yeah, hundred seventy-four.

8 VICE CHAIR MILLER: Hundred and seventy-four. Thank
9 you for that. And you know we're all sorry -- I'm sure the
10 applicant is sorry as well, that Meow Wolf is not part of the
11 project for -- we all were excited about that incredible concept,
12 but it's very challenging economic times for the entire globe,
13 let alone individual projects. But -- so we're happy this is
14 going forward. But what's the -- I'm not trying to understand
15 what the venue entertainment group alternative replacement thing
16 is. Maybe it's not finalized. Maybe they're still working on
17 tenant site. There's -- I know there's a children's museum that's
18 -- but I think that's separate from -- I think that was separate
19 from the Meow Wolf thing that was going to be there earlier. And
20 you've got the grocery store that's still there. Aldi is still
21 part of this, which is great, right? Yeah.

22 MR. TUMMONDS: Maybe, Sean, do you want to go through
23 the mix of uses we now have?

24 MR. CAHILL: Sure. So we do have the Aldi grocery
25 store that's anchoring on the north side of -- along South Dakota

1 Avenue. We have a live performance venue that sits to the south
2 of the Aldi grocery store that will take in live performance of
3 all sorts. And we'll also be working with the children's museum
4 and some of the schools within the local community as a learning
5 center on multiple levels, both in technology and both in the
6 arts of live performance and actually backstage getting ready for
7 performances.

8 We have a -- you know, I hate to refer to it as a food
9 hall. It's an emporium. It's an experience. We really view
10 the food experience here very much like another arm of the art,
11 and so, it is a collection of both local and national chefs.
12 There will be 21 stalls. It will be an experience both in its
13 design, it's way out and its performance. We have the children's
14 museum, which will also be a very large draw and anchor. So this
15 is a -- we see this as a destination with the food collective,
16 the performance venue, the children's museum.

17 We are in discussions with immersive art providers that
18 are -- I think the closest thing that I could use as an example
19 is the Van Gogh, which is done by a group called Exhibition Hub.
20 We are in contact with them, and we are speaking with them. But
21 that is the type of immersive art that we are looking at for the
22 upper floor of the rotunda. And, again, we believe that there
23 is a coordination and a collaboration between the performance
24 venue, between the food hall, the children's museum, and the
25 immersive space. We think that there's an incredible opportunity

1 with certainly that the two charter schools that were -- are
2 within walking distance of the facility, but also the other
3 schools that are within about a two-mile radius. So it's a --
4 it would be a destination. It would be very collaborative.

5 And then the final piece that we have is under the
6 residential on the other side of what used to be 4th Street, is
7 inline retail that we will have there as well.

8 VICE CHAIR MILLER: Well, thank you for that response.
9 I appreciate all the work and look forward to seeing this project
10 come to fruition. Thank you.

11 CHAIRPERSON HOOD: Mr. Cahill, I -- let's follow up on
12 some of the conversation you had with Vice Chair Miller. You
13 mentioned the Van Gogh. And will tell you that I know that's
14 working well over on Rhode Island Avenue, up in that area. So
15 it's good to see we're talking about something of that type here.
16 But a lot of this -- and I'm sure I already pretty much think I
17 can answer the question, but I'm going to ask it for the record.
18 A lot of this or what you are planning for over there has come
19 from the dialogue and the interaction with the community. Is
20 that a correct assessment or a correct statement?

21 MR. CAHILL: It is indeed. It is indeed. And so, I
22 believe that the -- as everybody -- as Commissioner Miller said,
23 you know, Meow Wolf, we were very excited to have, you know,
24 everybody had to navigate through the pandemic in different ways.
25 We are looking to try and bring something similar to that, and

1 | we are engaged with the community, Lamond-Riggs, as well as the
2 | ANC 5A on a continuous basis of how that would work and all of
3 | the proffers that we had with Meow Wolf also are a part of the
4 | program here.

5 | MR. TUMMONDS: What I might add to that too, Chairman
6 | Hood, to -- we're in dialogue with ANC 5A. And, Sean, we must
7 | have heard this every time. They're like, you're still going to
8 | have the grocery store there, correct? And we say, yes. But we
9 | hear all the time about fresh produce, fresh produce, fresh
10 | produce, And then the second thing we heard every time we went
11 | back to the community was sit down restaurants, sit down
12 | restaurants, sit down restaurants. And what we've said is that
13 | we believe through the food hall, the food emporium, as Sean
14 | mentioned, it's kind of the best-case scenario of the sit-down
15 | restaurant in providing people in the community the opportunity
16 | to come to a place where there's lots of different food options.

17 | Truthfully, the upfront cost for a restaurateur are
18 | significantly less to open up a stall in a food emporium than it
19 | is in a restaurant, so we think that that really opens up the
20 | opportunities to have a really great experience for, as we've
21 | mentioned a couple of different times, up and coming chefs,
22 | restaurateurs. So we think that is a great opportunity with
23 | this project and really a direct response to a lot of what we
24 | heard.

25 | CHAIRPERSON HOOD: Okay. Thank you, Mr. Tummonds. I'm

1 going to ask this question, even though Mr. Tummonds, you stated
2 there were certain things that we should look at, but you know I
3 don't usually follow those rules. So I do want to ask about
4 parking.

5 Mr. Cahill, if this facility, and I'm talking about all
6 of it now, not just what we have in front of us, even though I
7 heard Mr. Tummonds, but I didn't hear him. So all of this that
8 we are looking at, are we trying to attract people who --
9 residents who want to be living there, the neighborhood, or are
10 we also trying to attract people who come from other neighborhoods
11 who may come by car?

12 MR. CAHILL: That is correct. We are trying to
13 attract it all with all of the neighborhoods that surround us as
14 well as the visitors coming to Washington, D.C. to see other
15 destinations, monuments and things that are happening in
16 Washington. We would look for them. I think being on the Metro
17 and being Metrocentric, being within a block and a half of the
18 Red Line, Green and Yellow, I'm sure Metro will soon get itself
19 back on the tracks with all the wheels correctly and be delivering
20 another great service, as it was previously. We think that's
21 very important. And I would leave it to -- I would turn it over
22 to Jami to talk about parking counts, if that -- if you have a
23 question on counts or our traffic management plan.

24 CHAIRPERSON HOOD: No. I -- I'm talking about
25 real live situation. Full disclosure, I grew up in this

1 neighborhood, so I kind of know a little bit, even though you
2 all -- the piece that you all have there, I was long gone when
3 that was done. But I spent a lot of time in this area, and I
4 still ride past this area quite a bit. But I'm just curious,
5 how's the parking in the area now that we've done all this? I
6 mean if a senior comes, and I'm looking for our senior community.
7 You know they can't -- they're not going to come on a bicycle, I
8 don't think. They're -- most of them don't. They're not going
9 to come on -- and I'm talking about 70, 80 years old. And I've
10 heard it. I don't want to get in trouble here, about not -- who
11 rides bicycles. I'm not going down the (indiscernible). I'm
12 looking out for the balance. If they come and park, I know we
13 have some on street parking, but you've got to be pretty lucky
14 over there. Where -- can they park in -- what do they do?

15 MR. CAHILL: So we have underground parking both
16 in Phase A, and we have underground parking in Phase B. And we
17 have ample parking to be able to take on both the residents, in
18 fact, we're parking higher per unit than most developments, so
19 that we can keep many of those cars off of the street parking.
20 And that has worked very well for us in Phase A. All of those
21 parking spaces for the residents have been taken and are in full
22 use, and there's a short waiting list of 8 to 10. And so, yes,
23 the remainder is all for the Aldi, performance venue, and the
24 commercial retail that we have programmed for the project.

25 CHAIRPERSON HOOD: Okay. Thank you, Mr. Cahill. I

1 really appreciate your responses on the record, and I appreciate
2 you -- what you all are doing and Ms. Cafritz, and what everybody
3 is doing over there. So I appreciate that.

4 Ms. Milanovich, I heard the conversation about the
5 bicycle. I saw the schematic, and I'm not being critical, but I
6 have never -- and I shouldn't say never, because it may have
7 happened once or twice. And I know South Dakota Avenue is a key
8 part to coming on 3rd Street and going up to Fort Totten.
9 Probably going up to Fort Totten, but I don't know. This has
10 been some years. But I know in recent days and recent years, I
11 have not seen not one bicycle on South Dakota Avenue. Am I
12 incorrect? I mean it's -- do we have any data showing bicycles
13 use South Dakota Avenue?

14 MS. MILANOVICH: I would have to pull up our traffic
15 counts and look and see. I mean it -- I suspect there are some
16 but very few. If you want an actual number, I can pull that
17 number for you. We have that in our original traffic study.

18 CHAIRPERSON HOOD: I -- no, I don't. I'm frequently
19 on South Dakota Avenue, and I have never seen a bicycle on South
20 Dakota. And I actually don't blame them, because if I was riding
21 a bike, I wouldn't be on South Dakota either. So that's just
22 kind of where I am with that. I was wondering with all the
23 interaction about the bicycles, and I'm sure the neighborhood
24 -- but here's the thing, I think that as some point in time, that
25 piece, that element will come to the neighborhood at some point

1 | in time. I think it will be increased, so I think we need to
2 | plan for it now in development. And I'm just -- I just have
3 | never seen a bicycle -- hopefully, I don't get quoted in the
4 | paper on this -- on South Dakota Avenue. But anyway.

5 | COMMISSIONER MAY: It's not a very bike-friendly road.
6 | It's not surprising you don't see bikes there.

7 | CHAIRPERSON HOOD: Okay. Okay. Maybe I should have
8 | ask you, Commissioner May. I was just wondering how that works.

9 | So the two campuses, how is that coming along, Mr.
10 | Cahill? Now, the Romaine Thomas Campus, that was just named a
11 | couple of weeks ago, that's not part of your PUD, is it?

12 | (No audible response.)

13 | CHAIRPERSON HOOD: Okay. But you all helped support
14 | some of that. You all kind of have a fostered relationship,
15 | correct? Is that correct?

16 | MR. CAHILL: We're very embedded in the community,
17 | absolutely.

18 | CHAIRPERSON HOOD: Okay. Okay. All right. I don't
19 | have any other questions. The dog park and everything that's in
20 | front of us, Mr. Tummonds, has been satisfied, at least from what
21 | I see here in the record. So let's continue to do the good --
22 | great work that we're doing with the community. And I don't have
23 | any other questions.

24 | Any second rounds from any of my colleagues?

25 | (No audible response.)

1 All right. Let's go -- Ms. Schellin, let's go to the
2 ANC, either 5A, either Chairman Edwards or 4B. Let's see who's
3 with 4B.

4 MS. SCHELLIN: Let me check and see if any are here.
5 Yeats, Huff.

6 CHAIRPERSON HOOD: It will be LaRoya Huff or somebody
7 of that nature. I see --

8 MS. SCHELLIN: Yeah. And I don't see --

9 CHAIRPERSON HOOD: Yeats --

10 MS. SCHELLIN: -- any of them. Yeats, Huff or Edwards.

11 CHAIRPERSON HOOD: Okay. All right. So we will just
12 stand on --

13 MS. SCHELLIN: None of them are here.

14 CHAIRPERSON HOOD: Okay. Let's go to the Office of
15 Planning and District Department of Transportation.

16 Mr. Cochran? You can give us the short version.

17 MS. SCHELLIN: I don't see any one for DDOT.

18 MR. COCHRAN: Thank you, Mr. Chair. I'm Steve Cochran
19 with the Office of Planning, representing the office on Case
20 06-10G. And you're actually going to get the long version. I'm
21 adding one sentence. I'd like to note a typo we discovered on
22 page eight. It's in section -- it's under the housing element.
23 And the -- it's written that the trip -- let's see. Sorry. Okay.
24 We wrote the additional 23 units would have a substantial traffic
25 impact. Forgot the use of the word 'not' in there. "The

1 additional 23 units would not have a substantial traffic impact."
2 I'd promised the applicant that we would correct that for the
3 record. Other than that, OP would like to stand on the record.

4 CHAIRPERSON HOOD: Mr. Cochran, you're taking my fun
5 away from me. I liked asking you for the short version. But
6 anyway, I can tell you, your new computer is really doing a great
7 job. So I'll leave it at that. Let's see if we have any office
8 of -- any questions for Mr. Cochran.

9 Commissioner May?

10 COMMISSIONER MAY: I have no questions for Mr. Cochran.

11 CHAIRPERSON HOOD: Commissioner Shapiro?

12 COMMISSIONER SHAPIRO: (No audible response.)

13 CHAIRPERSON HOOD: Commissioner Imamura?

14 COMMISSIONER IMAMURA: No questions, Mr. Chair.

15 CHAIRPERSON HOOD: And Vice Chair Miller?

16 VICE CHAIR MILLER: No questions. Thank you for your
17 report, Mr. Cochran.

18 CHAIRPERSON HOOD: I have no questions, as well. A
19 great report, and thank you.

20 Let's see if we have -- Mr. Tummonds, you have any
21 questions for Office of Planning?

22 MR. TUMMONDS: No questions.

23 CHAIRPERSON HOOD: Okay.

24 Well, thank you, Mr. Cochran. Appreciate everything.

25 Let's see -- let's go to --

1 Ms. Schellin, you said nobody was here from DDOT?

2 MS. SCHELLIN: Correct.

3 CHAIRPERSON HOOD: I'll do the DDOT report. Okay. And
4 that's Exhibit 23, I believe, in the record. And let me see what
5 the -- I don't know. Anyway, I think DDOT didn't have any issues,
6 and I think they'll continue to work -- let me just read their
7 recommendations.

8 "District Department of Transportation has reviewed the
9 application materials and has determined that the proposed action
10 will not have adverse impacts on the District's transportation
11 network. DDOT has no objections to the approval of this
12 application with the following conditions: Condition C from
13 ZC-06-10D, should either be carried forward until the order of
14 this application or otherwise remain fully in effect."

15 Mr. Tummonds, I'm sure that's not an issue. I think
16 you mentioned that.

17 MR. TUMMONDS: Not an issue.

18 CHAIRPERSON HOOD: Okay. "As shown in Exhibit 20A, the
19 applicant will fund and construct the approximately 200 foot
20 missing segment of 3rd Street Northeast, located at the west and
21 southern terminus of Kennedy Street, subject to DDOT approval."

22 Is that -- was that an issue?

23 MR. TUMMONDS: No, that's the --

24 CHAIRPERSON HOOD: Okay.

25 MR. TUMMONDS: -- discussion we had earlier.

1 CHAIRPERSON HOOD: Okay. All right. Just wanted to
2 make sure, since I had to try to do the DDOT report. So DDOT is
3 in favor of this application, and certainly there are no questions
4 of DDOT. Do we have any other -- I didn't see any other government
5 agencies. All right. In that case, let's go to --

6 Ms. Schellin, again, do we have any one from the ANC,
7 ANC 5A or 4B?

8 MS. SCHELLIN: No, sir.

9 CHAIRPERSON HOOD: Okay. 4B, let me read that. And I
10 appreciate -- I thank 4B for the way they presented their
11 resolution. And it says basically on page six, "Adopted by voice
12 vote at a regular public meeting (notice of which was properly
13 given, and at which a quorum of six of nine members were present)
14 on November 22nd, 2021, by a vote of 6 yes, 0 no and 0
15 abstentions." And that's 4B.

16 5A, we received that letter again, from Chairman
17 Edwards today. And they -- I'm just going in. That's Exhibit
18 -- that's our Exhibit 28. And basically it says that, "ANC 5A
19 notes that in its previous support for the proposed
20 modifications, it included a condition that the applicant
21 provide a protected bike lane." And we spoke about all that.
22 But "ANC 5A also voted 6-0-0 to approve the resolution; and
23 specifically request 5A's actions be afforded the "great weight"
24 authorized pursuant to the DC Home Rule Charter." And that's
25 signed by Chairman Edwards. So both ANCs support it.

1 Ms. Schellin, can we see if anyone is in the audience;
2 organizations or persons or individuals who are in the audience
3 who would like to testify? In support, opposition or undeclared,
4 either one.

5 MS. SCHELLIN: Yes, sir. We only have two people signed
6 up. They're both proponents. And that is Barbara Rogers and
7 the other person, I saw them on earlier, and now I'm not seeing
8 them. Let me go back and look at the name again. Paquita
9 Wiggins. She was -- she or he, I'm not sure which, was on --

10 CHAIRPERSON HOOD: Okay.

11 MS. SCHELLIN: -- but now I don't see them on. So
12 maybe --

13 CHAIRPERSON HOOD: Ms. Rogers --

14 MS. SCHELLIN: Ms. Rogers.

15 CHAIRPERSON HOOD: Ms. Rogers is on, yeah.

16 MS. SCHELLIN: Yes, I -- she might be the only one.

17 CHAIRPERSON HOOD: She's present, I believe. I think
18 she's still present. Right. Okay.

19 MS. SCHELLIN: Yeah. She's a proponent. And that's
20 the only witness signed up.

21 CHAIRPERSON HOOD: We'll just hear from President
22 Rogers. I think she's the president of LRCA, but she will let
23 us know when she comes on --

24 MS. SCHELLIN: Yes.

25 CHAIRPERSON HOOD: -- if I have that wrong.

1 Okay, Ms. Rogers --

2 MS. ROGERS: Yes?

3 CHAIRPERSON HOOD: -- you may begin.

4 MS. ROGERS: Yes. Hello. I am Barbara Rogers,
5 president of the Lamond-Riggs Citizens Association. And so, I
6 just want to thank everyone. We are not opposed to this project.
7 We've had a great relationship with these developers, and we look
8 forward to continuing the great relationship. I was expecting
9 our chair of the development task force to actually speak, but
10 she was actually in her car, so she probably somehow got
11 disconnected. But that's all I wanted to say. We did submit
12 our support. And, again, we just want to continue our
13 relationship with the developers.

14 CHAIRPERSON HOOD: Thank you, President Rogers. And
15 thank you for all you all do, because I know LRCA has been a very
16 strong organization for years.

17 MS. ROGERS: Yes.

18 CHAIRPERSON HOOD: And thank you for the --continuing
19 to do the work that you all do as a volunteer organization. So
20 thank you.

21 Let's see. Commissioners, are there any questions of
22 President Rogers?

23 (No audible response.)

24 Okay. Mr. Tummonds, does the applicant have any
25 questions of President Rogers?

1 (No audible response.)

2 With that overwhelmingly enthusiastic endorsement, I
3 wouldn't have any either, but do you have any?

4 MR. TUMMONDS: I do not, no.

5 CHAIRPERSON HOOD: Okay.

6 MR. TUMMONDS: Other than to say it's been a pleasure
7 working with Barbara and her group. And I don't want to have
8 this taken as a dig on any other organizations, but the Lamond-
9 Riggs Citizens Association meetings are run with -- they're just
10 fantastic. They move along, they get a ton of information out,
11 and we really appreciate all the work that Ms. Rogers does as
12 well, as her cochairs the various group, and we look forward to
13 working with them.

14 CHAIRPERSON HOOD: Okay. Thank you, Mr. Tummonds.

15 And thank you, President Rogers.

16 And, Ms. Schellin, we don't have anyone else, I don't
17 believe, in the queue.

18 MS. SCHELLIN: No, sir.

19 CHAIRPERSON HOOD: So we will go back -- okay, we will
20 go back to Mr. Tummonds for any -- I don't think you have any
21 rebuttal, but any closing?

22 COMMISSIONER MAY: Mr. Chairman?

23 CHAIRPERSON HOOD: Commissioner May?

24 COMMISSIONER MAY: Yeah, before Mr. Tummonds goes, I
25 just wanted to say something about the ANC 4B report. I mean it

1 | does sound like they are generally in support, but they had a
2 | number of issues there, and I don't know that they've fully been
3 | addressed. And I'm wondering if Mr. Tummonds could speak more
4 | to some of those issues in his rebuttal and closing or in his
5 | rebuttal.

6 | MR. TUMMONDS: Yes, I agree, Pete -- Commissioner May.
7 | I think it's important that we have a full record. And we note
8 | that, again, we -- we've reached out, tried to work with ANC 4B,
9 | just as we have the other groups. And I -- what I think is
10 | important to remember here too, is what we started out with,
11 | which is this is an application modification of significance of
12 | Block B. And so, I think there are a fair number of the
13 | recommendations or conditions, if you will, from ANC 4B that are
14 | truly outside of the scope. They really refer to previous
15 | approvals. So I will just go down through all of the bullet
16 | points.

17 | ANC 4B supports the additional 23 units of housing with
18 | the addition of at least three IZ units, but they'd also like
19 | what they consider additional IZ units. In light of the length
20 | of time that has transpired since the original application for
21 | the reasons we've discussed throughout this case, we believe that
22 | the three additional IZ units are appropriate. In any PUD
23 | application that comes before the Zoning Commission, you fully
24 | recognize that there is a weighing of the benefit. And sometimes
25 | benefits in a PUD project are almost solely IZ or affordable

1 housing.

2 Sometimes benefits of a PUD project are a significant
3 arts component, like this one has. This arts component for this
4 project comes with subsidy. And so, we believe that the benefits
5 of this PUD are the 30 artist units we're providing, the three
6 IZ units, plus the significant arts component with the -- and we
7 haven't talked about it too much, but in the record, we talked
8 about the discounted admissions rates for some of those arts
9 units too. So at this point, the applicant is proposing three
10 additional IZ units.

11 The next item is that the ANC 4B requested that the IZ
12 units be family sized. This project, the residential component
13 of this project includes studios, one, and two bedrooms. So we
14 are proposing the IZ units in that same proportion; one studio
15 IZ unit, one one-bedroom IZ unit, one two-bedroom IZ unit. This
16 project does not have residential units that are more than two
17 units.

18 Next bullet point. ANC 4B requests that the MFI levels
19 be at 50 percent rather than the IZ required 60 percent. The
20 applicant is proposing the IZ required 60 percent.

21 ANC 4B also raised issues regarding the 84 Riggs Plaza
22 leaseholder apartments. I think that is an issue that we believe
23 is truly outside of the scope of this Block B. The relocation
24 of the Riggs Plaza leaseholders was with the Block A project.
25 Obviously, that project is not just built, it has been occupied.

1 It has been occupied for a number of years. We don't think it
2 would be appropriate to go back and change the terms of a building
3 that is in existence, that is occupied, so we are not supportive
4 of that.

5 Next bullet point is ANC 4B wants to improve the
6 physical traffic calming on 3rd Street beyond just paint and
7 signage, to include street treatments for canes, raised
8 crosswalks, or other physical treatments designed to reduce
9 vehicle speeds and create a shared space for vulnerable road
10 users. We believe that the proposal that we have put forth as
11 Exhibit 20A is sufficient to address traffic and safety concerns.
12 We note that DDOT also agreed with that.

13 And then, finally, ANC 4B requested a creation of a
14 comprehensive school zone safety plan developed in cooperation
15 with the Department of Transportation Safe Routes to School for
16 the schools located in the future phases of development. We
17 believe that, you know, as the leaseholder for those schools,
18 that we are addressing the safety concerns, helping to make sure
19 that there is a safe environment for pickup and drop off. And I
20 think we kind of hit on that today in answering Commissioner
21 May's questions about having that vehicular extension of 3rd
22 Street where it's a safer environment by removing that hammerhead
23 that exists there now. So we believe we are addressing that.
24 And I think that covers all of the issues in the 4B report.

25 I would add just one thing too, in the 5A report, there

1 | was the initial ANC 5A report that was in the modification of
2 | consequence. There was the new ANC 5A report that just came in
3 | today that removed the condition that there be a dedicated bike
4 | lane on 3rd Street and support the 3rd Street extension, as we've
5 | proposed today and in Exhibit 20A. So --

6 | CHAIRPERSON HOOD: Thank you. Thank you, Mr. Tummonds,
7 | for going through that. But I want 4B to understand that when I
8 | mentioned earlier, 4B, LRCA, and 5A, at the very beginning, I
9 | mentioned -- I asked the applicant to continue to work, and that's
10 | what I meant. So it wasn't that we were discounting anything
11 | from 4B. I know some of it was in our jurisdictions. I knew
12 | some of it, because of what this is, a modification of
13 | significance, that we would not revisit, as you stated in your
14 | comments. So, again, my "ask" is still there. Continue to work
15 | with the community and see how we can resolve some of those things
16 | that still may be a concern.

17 | So I just wanted to reiterate that, because I actually
18 | said that at the very beginning, because I do know 4B had some
19 | outstanding issues, some which we could probably deal with, and
20 | some we couldn't, so. All right. I just wanted to put that back
21 | on the record to make sure that 4B didn't think that we discarded
22 | their letter.

23 | Okay. Mr. Tummonds, can we get closing, please?

24 | MR. TUMMONDS: Sure. In closing, truly we -- on behalf
25 | of the applicant team, we are truly thrilled that the modified

1 Block B project as presented in this application has been able
2 to retain all of the previously approved uses in the family
3 entertainment zone, minus Meow Wolf, we think, with really
4 minimal impact on the exterior appearance. And in fact, we think
5 an improved exterior appearance, creating a rotunda and an
6 architectural expression that is probably more in keeping with
7 the neighborhood, yet still creating a really striking and
8 important project for Fort Totten, for the District.

9 We are very encouraged by the support that this project
10 has received. We will absolutely follow your recommendations,
11 Chairman Hood, and continue to work with all of the neighbors,
12 LRCA, ANC 5A, ANC 4B to make this project the success we know it
13 can be. And with that, we conclude our remarks.

14 CHAIRPERSON HOOD: Thank you, Mr. Tummonds. And also
15 to the team, Ms. Cafritz, Mr. Cahill, and all of those who have
16 --

17 Now, Mr. Quijano, did we -- have we been messing your
18 name up?

19 MR. QUIJANO: No. No. Quijano.

20 CHAIRPERSON HOOD: Oh.

21 MR. QUIJANO: Quijano.

22 CHAIRPERSON HOOD: Yeah, that's how I thought we've
23 been pronouncing it, Quijano. Okay.

24 And Ms. Milanovich and all those who have presented in
25 front of us, we thank you very much for your presentation. All

1 right.

2 Any follow up questions from any of the commissioners?

3 (No audible response.)

4 Commissioner May?

5 (No audible response.)

6 Commissioner Shapiro?

7 (No audible response.)

8 Commissioner Imamura?

9 Just to say --

10 And Vice Chair Miller?

11 (No audible response.)

12 Commissioner Imamura?

13 COMMISSIONER IMAMURA: Yeah. Thank you, Mr. Chair.

14 Just to say that the applicant here, I know that you all have
15 worked through some challenges, and sometimes that generates
16 better design and better architecture. So in spite of all we've
17 gone through to get to this point, it's all a process. So, again,
18 appreciate the level of effort behind this, and thank you. So
19 that's all that I had, Mr. Chair.

20 CHAIRPERSON HOOD: Okay. Thank you.

21 Vice Chair Miller, anything else?

22 (No audible response.)

23 CHAIRPERSON HOOD: All right. So with that, we will
24 close the record in this case.

25 I believe, Ms. Schellin, I think this is flavored

1 right, unless my -- and for my colleagues to go ahead and -- is
2 this one vote or two votes? We don't -- we're not asking it.

3 MS. SCHELLIN: One vote.

4 CHAIRPERSON HOOD: Is anybody looking for anything?

5 (No audible response.)

6 CHAIRPERSON HOOD: Okay. All right. So Commissioners,
7 we have -- Mr. Tummonds had asked us to vote or mentioned it
8 says, and I don't think --

9 Did you -- Mr. Tummonds, you didn't ask for any --

10 MR. TUMMONDS: We would absolutely appreciate a vote
11 this evening, if you were so inclined.

12 CHAIRPERSON HOOD: Oh, I -- because I don't remember
13 hearing -- I usually hear somebody ask us to do it, but I didn't
14 hear anything, so I was getting ready to put it on the schedule.
15 So let me see.

16 Commissioners, if we are ready, if somebody would like
17 to make a motion? I think this is ready for us to move forward.

18 VICE CHAIR MILLER: Mr. Chairman?

19 CHAIRPERSON HOOD: Vice Chair Miller?

20 VICE CHAIR MILLER: I would move that the Zoning
21 Commission approve Case No. 06-10G, the Cafritz Foundation
22 Application for a modification of significance at Block B, The
23 Art Place Project, Fort Totten, and ask for a second.

24 COMMISSIONER IMAMURA: Second.

25 CHAIRPERSON HOOD: Okay, it's been moved and properly

1 second. Any further discussion?

2 (No audible response.)

3 Not hearing any, Ms. Schellin, would you do a roll call
4 vote, please?

5 MS. SCHELLIN: Yes. Commissioner Miller?

6 VICE CHAIR MILLER: Yes.

7 MS. SCHELLIN: Commissioner Imamura?

8 COMMISSIONER IMAMURA: Yes.

9 MS. SCHELLIN: Commissioner Hood?

10 CHAIRPERSON HOOD: Yes.

11 MS. SCHELLIN: Commissioner Shapiro?

12 COMMISSIONER SHAPIRO: Yes.

13 MS. SCHELLIN: Commissioner May?

14 COMMISSIONER MAY: Yes.

15 MS. SCHELLIN: Vote is 5-0-0 to approve final action
16 on Zoning Commission Case No. 06-10G. If the applicant could
17 provide us an order, since there wasn't any opposition.
18 Commission, are you guys okay with a summary order?

19 CHAIRPERSON HOOD: Yes, let's do a summary in this
20 case.

21 MS. SCHELLIN: Okay. If we could get that, Mr.
22 Tummonds, two, three weeks? I know the holidays are here, so.

23 MR. TUMMONDS: Summary orders are, you know, much
24 easier to pull off. Absolutely.

25 MS. SCHELLIN: Yes. Okay. That's it.

1 CHAIRPERSON HOOD: Okay. Again, I want to thank
2 everyone for their participation tonight. And the Zoning
3 Commission will be meeting again. For some reason, it's always
4 coming up January the 6th, but I know we will be meeting before
5 that. We have a meeting this coming Thursday --

6 MS. SCHELLIN: Thursday.

7 CHAIRPERSON HOOD: -- which I believe the date is
8 December the 16th.

9 MS. SCHELLIN: Yes.

10 CHAIRPERSON HOOD: We will be meeting on the same
11 platforms, and we'll have various agenda items for our meeting.
12 So, again, at 4:00 p.m. on these same platforms. So with that,
13 I want to thank everyone for their participating tonight, and
14 this hearing is adjourned. Good night, everyone.

15 (Whereupon the above-entitled matter went off the
16 record at 4:18 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: 12-13-21

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