



OFFICE OF ZONING STAFF PRESENT:

SHARON SCHELLIN, Secretary  
ROB BARRON, Zoning Data Specialist  
PAUL YOUNG, Zoning Data Specialist

OFFICE OF PLANNING STAFF PRESENT

MATTHEW JESICK

OFFICE OF ZONING LEGAL DIVISION STAFF PRESENT:

HILLARY LOVICK, ESQUIRE  
DENNIS LIU, ESQUIRE

The transcript constitutes the minutes from the  
Public Hearing held on January 6, 2022.

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

OPENING STATEMENT:  
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PRESENTATION:  
 Case No. 12-01E - The Catholic University of America,  
 Campus Plan Amendment & Further Processing  
 (Solar Facility), West Campus, Michigan Ave. N.E.  
 at Square 3663, Lot 7; Square 3671, Lot 3;  
 Square 3821, Lot 44 - Ward 5. . . . . 7

COMMENTS AND QUESTIONS:  
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P-R-O-C-E-E-D-I-N-G-S

(4:00 p.m.)

CHAIRPERSON HOOD: First of all, let me say good afternoon, ladies and gentlemen and Happy New Year to my colleagues and all of those attorneys, staff, and all those -- and the public who are listening, Happy New Year.

Today's date is January the 6th, 2022. We are convening and broadcasting this public hearing by videoconferencing. My name is Anthony Hood, and I am joined by Vice Chair Miller, Commissioner May, and Commissioner Imamura. We're also joined by the Office of Zoning Staff, Rob Barron, Ms. Sharon Schellin and Mr. Paul Young. Also, our Office of Zoning Legal Division, Ms. Lovick and Mr. Liu. I think I have covered everyone. I will ask 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 or 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.

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6 call our OZ hotline number at 202-727-5471. If you wish to file  
7 written testimony or additional supporting documents during the  
8 hearing, then please be prepared to describe and discuss it at  
9 the time of testimony.

10           The hearing will be conducted in accordance with  
11 provisions of 11 Z DCMR, Chapter 4 as follows: preliminary  
12 matters, applicant's case -- the applicant has up to 60 minutes.  
13 I'm not sure if we need 60 minutes. I would prefer 15, but I  
14 will leave it up to my colleagues and make sure -- if we get 15,  
15 and we'll ask our questions, I think that would be more  
16 advantageous to us to move forward. We will have the report of  
17 the Office of Planning and the District Department of  
18 Transportation; the report of other government agencies; the  
19 report of the ANC. Testimony of organizations five minutes and  
20 individuals three minutes. And we will hear in the following  
21 order from those who are in support, opposition or undeclared.  
22 And then we'll have rebuttal and closing by the applicant.

23           Again, the Office of Zoning hotline number, if you have  
24 any problems, 202-727-5471.

25           At this time, the Commission will consider any

1 preliminary matters. Does the staff have any preliminary  
2 matters?

3 MS. SCHELLIN: Yes, sir. We only have -- the applicant  
4 has one proffered expert witness, who has previously been  
5 accepted by the Commission, Debra Nauta-Rodriguez in architecture  
6 and planning. We would just ask the Commission to confirm her  
7 as an expert in this case.

8 CHAIRPERSON HOOD: Commissioners, any objections to  
9 continuing that status?

10 COMMISSIONER MAY: No objections.

11 MS. SCHELLIN: Okay. The applicant is represented by  
12 Allison Prince and Lawrence Ferris from Goulston & Storrs. The  
13 Office of Planning is represented by Matt Jesick. And I'm not  
14 sure if DDOT is going to have a representative here this evening  
15 or not. And since I am without electricity, I cannot see the  
16 list of participants to see if there is a DDOT representative.  
17 And as of -- just before the meeting started, there were no  
18 witnesses signed up to testify. However, Mr. Barron will be  
19 checking just before time for any witnesses. So the applicant  
20 has confirmed they will be doing a short presentation, hitting  
21 the highlights and answering any questions, so I will turn it  
22 back over to you.

23 CHAIRPERSON HOOD: Okay. Thank you, Ms. Schellin. And  
24 we appreciate you working through the difficulties that you're  
25 having, so thank you so much.

1           And I do have a preliminary matter. Commissioner May,  
2 I want you to know that I heard you loud and clear. That didn't  
3 fall short on me about being able to hear me, so I will pay you  
4 back at a later date about that. I just didn't want you to think  
5 that -- I was just trying to get focused and moving forward. But  
6 I want you to know that that's going to be in the back of my  
7 mind.

8           Okay. Let's bring everybody up. But you know I like  
9 to have a good time.

10           COMMISSIONER MAY: And I like to start the year off  
11 right, poking fun at the Chairman, one of my favorite things.

12           CHAIRPERSON HOOD: That's cool. That's cool. We've  
13 been together a long time.

14           COMMISSIONER MAY: Yes.

15           CHAIRPERSON HOOD: Okay. Ms. Prince, if you can bring  
16 your team up, and we'll turn it over to you.

17           MS. PRINCE: Thank you so much, Chairman Hood and  
18 members of the Commission.

19           I'm here today with Debra Nauta-Rodriguez, who's the  
20 university architect for the Catholic University of America and  
21 the Associate VP for Facilities and Planning. It's just the two  
22 of us today. So we're going to keep this short because we got  
23 the instruction from the staff earlier.

24           We're pleased -- we're really pleased to present this  
25 important and timely solar project and Debra Nauta-Rodriguez will

1 describe it in great detail.

2 I'll just mention that when we began the project, we  
3 met with the zoning administrator to determine the most  
4 appropriate approach. And he agreed that since this is an  
5 accessory use, it's an accessory power use for the University,  
6 we should file an amendment to the campus plan coupled with a  
7 further processing application, so we proceeded accordingly.

8 Our outreach has been extensive. We have the support  
9 of the ANC, as you've seen in the record; DDOT, the Office of  
10 Planning; Casey Trees, and the Basilica, which controls the  
11 property to the south of our site. We're not aware of any  
12 opposition whatsoever. So without further delay, I'd like to  
13 proceed with the testimony of Ms. Debra Nauta-Rodriguez. And she  
14 has a really, I think, a good presentation. I suggest that we  
15 just let her get through the whole presentation, and then you can  
16 ask questions since she is our only witness. And thank you for  
17 your time.

18 MS. NAUTA-RODRIGUEZ: I'm ready to go. Good afternoon,  
19 Chairman Hood and Commissioners. Thank you very much for having  
20 us on your agenda this afternoon to consider our West Campus  
21 project.

22 As I was introduced, my name is Debra Nauta- Rodriguez.  
23 I am the University architect and the AVP for Facilities. And  
24 happy to just hit the highlights, because one of my  
25 responsibilities there is snow removal planning, and we'll be

1 | doing some of that a little later on.

2 |           I've been the University's project lead on this  
3 | undertaking from its inception. The project is a result of over  
4 | two years of study planning, preliminary engineering and  
5 | consultation with experts and stakeholders. The University hired  
6 | Optony, a solar energy consultant, in June of 2022, to conduct a  
7 | technical and financial feasibility study for us.

8 |           Our team also included internal and external experts  
9 | on planning, architecture, landscape architecture and  
10 | construction, as well as legal advisors from Jenner & Block and  
11 | Goulston & Storrs. (Indiscernible) generated some very early  
12 | renderings from us. And once the study was complete, the  
13 | University conducted an RFP process that evaluated 11 solar  
14 | development proposals. We've been working with a selected firm,  
15 | Standard Solar, and their team, which includes Timmons Group, for  
16 | nearly a year to develop plans. Detailed engineering is currently  
17 | also underway with PEPCO.

18 |           We've also engaged with numerous local, regional and  
19 | some national entities, community representatives, our  
20 | institutional neighbors, District agencies and other  
21 | stakeholders. Including our ANCs, particularly ANC 5A, the DC  
22 | Ward 5 council representatives, DOEE's leadership and technical  
23 | staff on several occasions, DDOT, the D.C. Public Service  
24 | Commission, Chesapeake Climate Action Group, among others.

25 |           The FAA has reviewed and approved the project proposal

1 as well. And we want to thank everyone for quite a welcoming  
2 and overall enthusiastic represent -- reception of this project  
3 so far.

4           You can go to the next slide. The project has some  
5 very important goals and potential benefits. It supports both  
6 the District's and the University's sustainability efforts. It  
7 benefits our local energy consumers and creates learning  
8 opportunities for students of many ages. And to proceed with  
9 this project, we seek approval, as Allison stated, for an  
10 amendment to -- and further processing of the University's 2012  
11 Campus Master Plan.

12           The next slide. A lot of these slides are a repeat of  
13 what's in the submission. I don't need to go into detail, but  
14 the project location is on the University's West Campus.

15           Next slide. We've provided some background information  
16 on the transactional history of the property ownership and then  
17 its incorporation into the University's 2012 Campus Master Plan.

18           Next slide. But at this time, I'm going to just hit  
19 some highlights of the existing conditions of the property. The  
20 West Campus has gated controlled access via the private scale  
21 gate road for first responders, utility easement access, a tree  
22 nursery operation, University maintenance operation such as  
23 storage for snow removal equipment and salt storage. We also  
24 sponsor educational research, some demonstration and passive  
25 activities on a scheduled basis on the West Campus.

1           The interim service parking area proposed in our 2012  
2 Campus Master Plan has not been implemented. There's a remnant  
3 forest in the southwest portion of the site and some high-quality  
4 tree cover in the northeast section. The in between is  
5 characterized, as you see on the slide, by open space second  
6 growth trees and underbrush. We've just recently completed an  
7 inventory of all the trees 10 inches or greater in diameter.  
8 There's more than a thousand trees on the West Campus, and we  
9 recorded the condition of all the special and Heritage trees on  
10 the property. In the northwest corner, there's a tree nursery  
11 staging area that supports the University's continuing  
12 partnership in collaboration with Casey Trees.

13           Next slide. And just as a reminder, I want to tell you  
14 that Catholic University has had solar technology embedded in its  
15 main campus for quite some time. We have over 2,600 solar panels  
16 on seven different flat roof buildings on campus and over the  
17 O'Boyle parking lot, totaling about 677 kilowatts of installed  
18 capacity. And in 2009, when that program was installed, it was  
19 one of the largest in the District of Columbia. We currently  
20 purchase 100 percent of our electricity from clean sources,  
21 whether from our on-site solar or with renewable energy credits.  
22 Our strong commitment to clean energy will continue with the West  
23 Campus project and with even more coming from on campus solar.  
24 We were recognized by the EPA as a Green Power College Champion  
25 in 2021, and we were included in Princeton Review 2022's Guide

1 to Green Colleges. We're entering the second year of our 2020  
2 5-year sustainability plan.

3           Next slide please. This slide characterizes our  
4 approach to locating a solar installation on the West Campus. We  
5 won't be implementing that surface parking lot nor paving of the  
6 access road at this time. Those may be implemented at some point  
7 in the future when a development plan for expansion of the  
8 University's building footprints -- footprint on the West Campus  
9 is determined. But we're here today to propose this solar  
10 facility where it has a lifespan of 15 to 25 years. It's a  
11 passive, non-intensive usage that operates in a nearly noise-  
12 free, odor-free, low traffic and non-nuisance fashion. The solar  
13 arrays will cover about 25 acres or roughly 60 percent of the  
14 property.

15           Next slide, please. So this is the diagram that will  
16 replace Exhibit 17 in our current 2012 Master Plan, and we are  
17 seeking approval for this amended plan. The proposed solar  
18 facility again will occupy approximately 25 of the 41 acres on  
19 West Campus. It'll be among the largest arrays, ground-based  
20 arrays in D.C. It will occupy the entire area that was formerly  
21 designated for the new roadway and surface parking lot. And of  
22 the 93 Heritage trees on the West Campus, 85 of them are located  
23 well outside the proposed array area. Any healthy Heritage trees  
24 located within the array will be protected and preserved.

25           This project is estimated to produce over 10,700

1 megawatt hours of green, clean, renewable energy per year, which  
2 while it is roughly equivalent to the needs of about 1,200 average  
3 D.C. households, it still only represents about a quarter of the  
4 University's annual energy consumption. The University currently  
5 uses approximately 40,000 megawatt hours per year, and this will  
6 increase as we do add additional campus buildings in the future.  
7 We anticipate that the University's energy needs will always  
8 exceed the capacity that's able to be generated on our site. But  
9 we remain committed to purchasing 100 percent of our energy from  
10 renewable sources. These two arrays of three megawatts AC will  
11 consist of a total of approximately 15,000 panels. It's an order  
12 of magnitude larger than what we have on our rooftops.

13           Next slide. So these diagrams, while they're difficult  
14 to read here, they're excerpts from the submission that we sent  
15 in with our application. And they do help visualize the physical  
16 development of the solar arrays on the site. It's a plan view  
17 diagram on the left and then an excerpt of the landscape buffer  
18 on the right. There's a minimum distance of 60 feet from property  
19 lines to the solar panels on -- but on most sides, it's much  
20 greater than that, the setback. The closest we come is on the  
21 Harewood side and that's where we are planting this landscape  
22 buffer.

23           We can flip to the next slide, please. The buffer will  
24 be planted with a variety of mixed deciduous and evergreen trees  
25 with an understory of medium to large shrubs. The intended

1 palette is represented here, but it is somewhat dependent on  
2 availability at the time of planting. The perimeter of the field  
3 will be planted with an herbaceous mix that is attractive to  
4 pollinators and beneficial to other wildlife. The proposed trees  
5 and shrubs in combination with the meadow habitat have been  
6 selected on -- based on their aesthetic and wildlife value as  
7 well as ease of maintenance. There's also a diagram and some  
8 images of the proposed fencing that encloses the solar array for  
9 safety and security purposes on the right-hand side. It fades  
10 into the background, and we are retaining the existing cast iron  
11 fencing that already exists on the site at our property line.

12           Next slide, please. We have some renderings along  
13 Harewood. This one's looking south. When it's first planted on  
14 the left and then after approximately 10 years growth on the  
15 right. You can see the existing a cast iron fence in the front,  
16 in the foreground.

17           The next slide, please. And this is from the other  
18 direction on Harewood. Again, the same idea with the cast iron  
19 fence in the foreground and the visualization of the solar panels  
20 and the landscape buffer farther back.

21           You can go to the final slide, please. So in summary,  
22 we see many environmental and community benefits to this project  
23 that puts into use a large undeveloped parcel. Without additional  
24 vehicle trips and without any public health dangers, it increases  
25 the amount of solar energy generated within the District. And

1 for the University, this accessory use on the West Campus enhances  
2 the sustainability curricula of many of the University's academic  
3 schools and departments. It allows us to offset our own energy  
4 expenses and significantly contribute to the District's  
5 sustainability goals. And in the spirit of the Pope's  
6 encyclical *Laudato Si'*, it demonstrates our continuing mission  
7 driven commitment to environmental stewardship and care for our  
8 common home.

9 That's all I have right now. I hope you had a chance  
10 to look at some of the details in the larger submission. and  
11 we're ready for any questions. Thank you very much.

12 CHAIRPERSON HOOD: Okay. Ms. Prince, is that it?

13 MS. PRINCE: That completes our direct presentation.

14 CHAIRPERSON HOOD: Okay. Thank you, Ms. Prince and Ms.  
15 Nauta-Rodriguez.

16 Let's see if we have any questions or comments. Let  
17 me ask my colleagues this. Did anybody else have any problems  
18 getting ZDocs to open or is it just me?

19 (No audible response.)

20 Okay. I guess, it's just me. All right. So I'll be  
21 depending on you all for the other submissions that I can remember  
22 off the top of my head.

23 So anyway, let's see if we have any questions or  
24 comments. Commissioner May?

25 COMMISSIONER MAY: Yeah. I guess the question I have

1 is about the tree loss. And I was looking through the information  
2 that was submitted, and I also saw the DOEE's comments about tree  
3 replacement. And I'm wondering, is there -- I mean -- did I just  
4 miss it somewhere in the submission? Is there a statement  
5 somewhere about the actual tree loss and what you're planting,  
6 and how they compare?

7 MS. NAUTA-RODRIGUEZ: We don't have that in the  
8 submission, but our -- we are constantly planting trees,  
9 especially through our partnership with Casey's. And if you've  
10 seen our Campus Master Plan from the start, we've already added  
11 many trees to the campus, and we are adding them with each project  
12 as we go. So we intend to continue that practice and over  
13 decades, the next decade and into the next master plan, continue  
14 that policy of adding tree cover to campus. And so we don't see  
15 any problem with recovering the loss that's going to happen  
16 through this project over the next phases of development of the  
17 campus.

18 COMMISSIONER MAY: Okay. And the next thing is I saw  
19 in reference to the fact that it would be deciduous trees and  
20 evergreen trees that would be part of the buffer. But the --  
21 it's not clear to me the extent to which there are evergreen  
22 trees in the buffer area, and we only have visualizations that  
23 are, you know, springtime or summertime or things like that. I  
24 mean, is it being the intention to have a thick enough mix that  
25 you're, you know, in winter, it's still -- you're still going to

1 maintain that strong buffering that shows up in the summer  
2 renderings?

3 MS. NAUTA-RODRIGUEZ: Yes, that would be our intent,  
4 that the buffer does mitigate any distasteful views, if you think  
5 it's distasteful, to see the solar array. Some people like that  
6 view. But the intent is to mitigate those views along Harewood  
7 in all seasons. That's the point of including the evergreen.

8 COMMISSIONER MAY: Yeah. Certainly, some people --  
9 including some members of the Commission, I think, probably like  
10 to see solar panels. I personally have -- I don't mind seeing  
11 them, but it's not exactly what I want to see all the time. So  
12 it's, I think it's -- it doesn't have to be 100 percent cover,  
13 you don't have to hide it completely from the public. But my  
14 main concern is just that it would be brought up as a year-round  
15 buffer and not a, you know, spring and summer buffer. And  
16 certainly, you're going to wind up seeing, you know, I think it's  
17 inevitable that you will see some things through it. But  
18 buffering it appropriately, I think is the right approach, so.

19 MS. NAUTA-RODRIGUEZ: Understood. Thank you.

20 COMMISSIONER MAY: Yeah. Otherwise, I mean, I think  
21 it's super interesting. It's amazing to me that you have this  
22 land and are able to do this. And that it hasn't already been  
23 consumed by some other need or sold off because it's, you know,  
24 clearly has development potential. So, wow, what a -- sort of  
25 -- you sort of hit the jackpot. And you don't have to answer

1 | this but like it raises the question like, why didn't you do this  
2 | 10 years ago, but you don't have to answer. Anyway, thank you.

3 |           CHAIRPERSON HOOD: Okay. Thank you.

4 |           Commissioner Imamura.

5 |           COMMISSIONER IMAMURA: Thank you, Mr. Chairman.

6 |           To answer Commissioner May's question, I would say  
7 | better late than never, right?

8 |           COMMISSIONER MAY: Right. Yeah.

9 |           COMMISSIONER IMAMURA: So this is great. I think  
10 | numerous financial, educational, and environmental benefits that  
11 | you had laid out before us. So that was very clear. I think, I  
12 | would agree with Commissioner May's comments about seasonal  
13 | density. And so especially with the understory, I think as a  
14 | landscape architect, that's something that I would focus on.  
15 | It's just increasing the density, particularly with the landscape  
16 | buffer along Harewood Road. I think the illustrations and  
17 | renderings that you have provided that show the 5 to 10 year and  
18 | 10 year and beyond outlook was very helpful.

19 |           But I would agree with Commissioner May, that while  
20 | some may like to see the view of the solar arrays, and certainly  
21 | I'm on both sides of the fence on that -- no pun intended -- but  
22 | I think inevitably, even if you increase density, you'll still  
23 | be able to see some of the solar panels. I would encourage you  
24 | to sort of increase that.

25 |           One of the things that I'm particularly interested in

1 | in terms of what I had seen and wanted to ask more about, but I  
2 | didn't see it in your presentation, was the stormwater management  
3 | plan, and wanted to ask if you could address that a bit more.  
4 | And I'm not sure -- I don't know what the retention volume is,  
5 | but I'm kind of curious to hear about that, as well as if you  
6 | all have already done a perc test out there to find out. So if  
7 | you could just elaborate a little bit more on those three aspects.

8 |           MS. NAUTA-RODRIGUEZ:     We have used the site for  
9 | temporary uses over the last couple years, most recently, as sort  
10 | of a stockpile area for some soil that was removed from the main  
11 | campus for the -- for our energy distribution project. So there  
12 | has been stormwater management measures taken for that temporary  
13 | use. We have the same civil engineer on this project that's been  
14 | with us on that. So while I'm not the stormwater management  
15 | expert, we've met with DOEE stormwater management experts several  
16 | times on this project. And we're working really closely with the  
17 | civil engineer to make sure that we are doing the proper  
18 | mitigation. It has come up many times. It is a concern, and we  
19 | are looking at it very carefully.

20 |           COMMISSIONER IMAMURA:    Okay. Great. I think, in  
21 | addition to the solar array, sort of an educational component  
22 | might also be a great opportunity for ecosystem services. As,  
23 | you know, as educational opportunity here in -- to satisfy sort  
24 | of some stormwater management solutions that you're all looking  
25 | at. I think DOEE also had discussed adjusting the limited

1 disturbance for a 100-foot buffer. And I'm interested to sort  
2 of hear your point of view about that. I think that that's a  
3 really good idea. And I'd like to kind of see that delineated  
4 on some of your plans perhaps. So what have been the  
5 conversations around that 100-foot buffer?

6 MS. NAUTA-RODRIGUEZ: We got that comment very  
7 recently. So we are looking at that with the civil engineer and  
8 the landscape architect on the job. They are still working on  
9 the grading and the siting of panels. And I think that, you  
10 know, the 100 foot is achievable in many, many areas. We get a  
11 little close on the Harewood Road side, but there's not that much  
12 existing to protect there. I don't know that it does propose a  
13 problem. I can just say that we're looking at that very  
14 seriously.

15 COMMISSIONER IMAMURA: All right. That's good to hear.  
16 And as you all sort of negotiate through that process, I think,  
17 again, having that delineated on a plan would be very helpful to  
18 see.

19 Also, going back to Commissioner May's comment, I also  
20 share the concern about tree loss in the offset. I think,  
21 clearly, your efforts in planting additional trees elsewhere on  
22 campuses is great. It's marvelous. But I would definitely want  
23 to quantify the tree loss count. So that way, you can  
24 substantiate it against additional tree planting that you've  
25 added elsewhere on campus. So I think that will be important

1 | just for a defensible position. Because it does look like, at  
2 | least from the some of the images and plans that I saw, that I  
3 | couldn't tell whether we're cutting into a little bit of the  
4 | remnant forest or definitely in the secondary road, but it was a  
5 | little difficult to see. And I know that you all have done a  
6 | very detailed tree counts and assessment, and so I think having  
7 | those -- that data and information would be helpful.

8 |           MS. NAUTA-RODRIGUEZ: Yeah. We are very aware of those  
9 | concerns. And as they continue -- I think the grading plan is  
10 | just a little bit behind to finalize some of that. So we're well  
11 | aware of DOEE's comments, and they've given us advice on that all  
12 | the way through. So I feel confident that we'll be able to  
13 | achieve goals of preservation that makes sense.

14 |           COMMISSIONER IMAMURA: Good. I'm encouraged by the  
15 | collaboration that you all had with that department. I think  
16 | with that, I just want to, you know, comment on the University's  
17 | strong commitment to clean energy and being an environmental  
18 | steward. I really appreciate that and the effort to contribute  
19 | to the District's goals for climate resiliency and achieving  
20 | carbon neutrality by 2050. So certainly, appreciate that the  
21 | University is in alignment with the District's goals on that. So  
22 | with that, you know, also thank you for your efforts on this  
23 | project.

24 |           And, Mr. Chairman, those are all the comments that I  
25 | have.

1 CHAIRPERSON HOOD: Okay. Thank you, Commissioner  
2 Imamura.

3 Vice Chair, I just want to say you look so relaxed and  
4 comfortable. But anyway, Vice Chair Miller.

5 VICE CHAIR MILLER: Yeah. I'm not in the DMV. As you  
6 probably can tell, but I don't -- I swear. I tried to give you  
7 a good view, but it didn't work.

8 Anyway, thank you to Allison Prince and Debra Nauta-  
9 Rodriguez -- I think I've messed up your name -- from Catholic  
10 for your presentation today for this campus plan amendment. And  
11 to commend you for your sustainability -- for the University's  
12 sustainability plan generally, as my colleagues have said, and  
13 for this project specifically. It's very commendable.

14 I just -- I have no -- absolutely no concerns with the  
15 project at all. It's fantastic. So I just -- I have a couple  
16 questions though, and they may be already in the record. I may  
17 have missed it, or you may have said it tonight even, this evening  
18 -- this afternoon wherever we are.

19 One was, I think on one of your slides, you talked  
20 about that this project, I think specifically will help enhance  
21 opportunities with Ward 5, educational opportunities with Ward 5  
22 high schools and including scholarships at Catholic University.  
23 I just wonder if you can just expand on that just a little bit  
24 so we can all hear that in the public record?

25 MS. NAUTA-RODRIGUEZ: Yes, that came up at the ANC

1 meetings as well. So we already have an existing program with  
2 scholarships and outreach to our local schools and that  
3 continues. I don't know if I can say much more detail about it,  
4 except that I know that we offer two scholarships every year and  
5 that may be increasing. I think, getting the word out and getting  
6 people to apply has been one of the setbacks to getting that more  
7 popular and known in the Ward. But it exists and it has existed  
8 for some time and will continue, and we'll look for ways to  
9 enhance that.

10           Some of the educational opportunities that we've looked  
11 at are simply all ages, field trips to this solar facility. There  
12 are opportunities with the monitoring system for virtual, you  
13 know, check in on what -- how much energy is being produced in  
14 the array. We have, you know, the opportunities for our own  
15 University students to participate in learning opportunities like  
16 that as well. I'm afraid I didn't probably answer the scholarship  
17 question completely, but we can provide more specifics on that  
18 to enter into the record if that helps.

19           VICE CHAIR MILLER: No, I don't need anything  
20 personally more in the record. I just appreciate that commitment  
21 to looking for ways to enhance educational opportunities for Ward  
22 5 high school students and the scholarship opportunities as well.  
23 That's a very important aspect of all of the universities in the  
24 city, and we appreciate Catholic's efforts to increase that as  
25 well. A specific question on --

1 MS. NAUTA-RODRIGUEZ: Actually, I did just get a text.  
2 So somebody helped me who's watching. There's 15 full  
3 scholarships through the DC-CAP (indiscernible) and the  
4 (indiscernible) Impact award of 22,000 -- \$20,000 a year for two  
5 students or 20,000 total for two students. So there is 15 full  
6 scholarships available.

7 VICE CHAIR MILLER: Okay. Well, I thank you for that  
8 and I appreciate -- and appreciate you're looking for ways to  
9 enhance those opportunities in the future.

10 I think DDOT had a time limit condition that they  
11 proposed in Exhibit 19. They may -- I don't know if they -- I  
12 may have missed it in a later submission that might have changed  
13 that, but I wonder if Ms. Prince, if you might, you might be able  
14 to address. They were -- I don't know. I guess there was some  
15 long-term connectivity through West Campus that they were  
16 -- they wanted to have still open.

17 I know you have a 15-year term for this lease with a  
18 10-year opportunity -- 10-year time extension. I have no problem  
19 with 25 years. That's what you want to do. And I think the  
20 Campus Plan will come back anyway to the Zoning Commission in  
21 some shorter time period, so we would have an opportunity to look  
22 at it and talk about it. But can you just comment on what DDOT's  
23 current position is, in your own view, on any time limit  
24 condition, which I don't see a need for?

25 MS. PRINCE: Great. Thanks.

1           And yes, we will be back to this Commission in just  
2 five years on the overall Campus Plan, and so we'll look at all  
3 kinds of issues relating to the entire campus, including the West  
4 Campus. We did talk to DDOT after that report was filed. And,  
5 you know, we'd really prefer not to have a limit. At this point,  
6 the transaction is structured so that there's a 25-year term.  
7 But it's possible that in 25 years, that portion of the property  
8 isn't being redeveloped in which case, this would be an optimal  
9 use to continue, so we don't really see any need for it, and we  
10 did let DDOT know that.

11           VICE CHAIR MILLER: Okay. Well, I think thank you for  
12 your response. I think it was important to have that on the  
13 record as well. So that's all I have, Mr. Chairman. Thank you,  
14 Catholic, for bringing this forward.

15           CHAIRPERSON HOOD: Okay. Thank you, Vice Chair.

16           Let me let me ask Ms. Nauta-Rodriguez and Ms. Prince.  
17 I want to kind of continue that discussion about the time limit.  
18 And I understand what DDOT is saying. Maybe that's to put a  
19 little push to see -- to get Catholic to do something. I'm not  
20 really sure. I don't necessarily see -- I don't see any harm.  
21 No foul. I mean, what -- 25-year, what's being asked to be a  
22 major issue Ms. Prince or Ms. Nauta-Rodriguez. Would that be an  
23 issue?

24           MS. PRINCE: To put a 25-year limit on?

25           CHAIRPERSON HOOD: To put the limit on that's

1 requested.

2 MS. PRINCE: Yeah. It's not ideal. I mean, we  
3 definitely prefer not to make another trip back to the Commission  
4 at that point to extend if, in fact, it's functioning well and  
5 -- but also, anytime, even though, you know, you might regard an  
6 extension as perfunctory at that point, it always, you know, any  
7 uncertainty in the process is never good. And if it's operating  
8 well and contributing a lot of green power to the grid and if  
9 (indiscernible), do we really want that hanging over us if there's  
10 no imminent project? And you all know about imminent projects,  
11 because they all go before you.

12 CHAIRPERSON HOOD: Right. Right.

13 MS. PRINCE: So, you know, I'd like to accommodate DDOT  
14 on that. But I also want to know that we can keep this facility  
15 up and running for as long as it's making a really big difference  
16 to green energy in the District. You're not going to find another  
17 solar facility this large in the near term, I can tell you that.  
18 I mean, this is an extraordinary opportunity because of the 21  
19 acres. I mean, it's just -- I can't think of another university  
20 that will be in a position to do this. So, you know, we'd prefer  
21 to not have a term. Is it the end of the world if we have a  
22 term? No, but we'd prefer not to.

23 CHAIRPERSON HOOD: Sure. I think, I kind of go along  
24 what I heard you say. Sometime, you want to add predictability  
25 as you look out into the future, because I was thinking 25 years

1 from now. I know solar is the big thing, but there's probably  
2 going to be something else out there that Anthony Hood is not  
3 aware of. And even the solar may disappear and it maybe (audio  
4 interference) or something, you know, so I don't know. You know,  
5 technology and the way things are moving in this society, it may  
6 be something totally different. So I do get your point about  
7 the predictability, you want to have some certainty, so I do buy  
8 that. And it's not a showstopper for me, but I will tell you  
9 that I am so happy to see the letter from the ANC. I was a little  
10 nervous. And unfortunately, I can't open up ZDocs for some  
11 reason, probably a user's error on my part. But if I shut  
12 everything down, maybe it'll open back up, but I don't want to  
13 do that because I will lose everything. So maybe I need to be one  
14 of the students to come over for some training to Catholic. But  
15 either way, I'm glad to see that the ANC did give a letter of  
16 support. I want to thank counsel for sending it to, emailing it  
17 to me, so I can read it. But let me ask. I noticed in the  
18 letter; one person voted against this. Was it the Single Member  
19 District ANC according to the letter?

20 MS. PRINCE: It was not.

21 CHAIRPERSON HOOD: Nobody voted against it?

22 MS. PRINCE: No, no, no. Well, I think the Single  
23 Member District Commissioner, that within -- and that person,  
24 that had been a vacancy that's just been filled. No, it was  
25 actually someone who had some comments that were really

1 completely unrelated to solar --

2 CHAIRPERSON HOOD: Okay. Okay.

3 MS. PRINCE: -- and they didn't become conditions of  
4 the order. And I'm glad you like the letter, because the  
5 University has worked very, very hard to have a strong  
6 relationship with the ANC. And I believe we went to the ANC a  
7 total of three times on this project just to really keep them in  
8 the loop, and it's been a great relationship.

9 CHAIRPERSON HOOD: I think the project is great. I  
10 think it's ideal. I know -- I do take Commissioner May and I  
11 think Commissioner Imamura's comments about trying to hide as  
12 much as possible. But I think for me, there's another case that  
13 we had something similar, the benefits. And I ride past that  
14 other case, colleagues, and I want you to know I ride past it  
15 consistently. And I still try to figure out, did we make a  
16 mistake or not. So if I'm still there in the same place, trying  
17 to figure out after all this time did we -- did the Commission  
18 make a mistake about doing what we did over there versus the  
19 benefits, I still will stay on the side of the benefits, and  
20 that's kind of where I'm on that. And that's not even germane  
21 to this case. I'm sure those who participated in that case know  
22 exactly what I'm speaking of, so I'll just leave it at that.  
23 That was for my colleagues not from the public or for this  
24 applicant. But I will say that Ms. Prince and Ms. Nauta-  
25 Rodriguez, I think this is a great project. Again, I'm glad the

1 ANC weighed in. You don't -- I don't see any opposition. And  
2 another thing that we have really looked at is the racial equity.  
3 And I can't remember exactly in Mr. Jesick's report, because I  
4 can't open it up. But either way, with the scholarships and the  
5 benefits and the on-site visits that are going to be happening  
6 here, I think when you talk about racial equity, this is exactly  
7 in line in which -- where the council had the -- and the Mayor  
8 had the foresight in trying to balance and try to get some parity  
9 and level the playing field. So I appreciate you also  
10 accomplishing that check mark to make sure that racial equity.  
11 And I believe even if that had not become a part of what, in our  
12 jurisdiction now, even if that had not been there, you all were  
13 already doing it. So I really wanted to put that out there  
14 because I'm all -- every case, I want to talk about racial equity,  
15 and I always have and I'm trying to be consistent. So I don't  
16 have anything else to add on that.

17           Let me see if my colleagues have any follow up questions  
18 or comments. And I appreciate all the work that went in with  
19 the ANC, the three or four visits that you did with them, and  
20 the community is great, when you have that support. So thank  
21 you for all the work Catholic has done and continues to do. So  
22 I'm going to do my best, not being able to see it, I'm going to  
23 ask my colleagues to help me if I can remember what's in the  
24 record.

25           Again, Ms. Schellin, we don't have -- I don't believe

1 we have Chairman Edwards, anyone here from ANC 5A to cross-  
2 examine.

3 MS. SCHELLIN: I'll ask Mr. Barron if he could check  
4 (audio interference) to make sure.

5 CHAIRPERSON HOOD: I think I can see the same. Let me  
6 open it up.

7 MS. SCHELLIN: Okay. Yeah. I don't think he's here.

8 CHAIRPERSON HOOD: Okay. No, I don't see Chairman  
9 Edwards.

10 MS. SCHELLIN: Okay.

11 CHAIRPERSON HOOD: Yeah, I don't see Chairman Edwards.  
12 And our condolences goes out to Chairman Edward's family. I know  
13 that he did have a death in the family, so we will leave it at  
14 that.

15 Let's go to the Office of Planning and the District  
16 Department of Transportation. I don't see DDOT here, but we know  
17 what their request is. But let's go to the Office of Planning,  
18 Mr. Jesick and Ms. Steingasser.

19 MR. JESICK: Thank you, Mr. Chairman, and members of  
20 the Commission. I'm sorry. I'm having some video difficulty,  
21 so I'll just have to speak this evening.

22 The review criteria for campus plan amendments and  
23 further processings is largely based on impacts to nearby  
24 residential communities. And given the nature of the use, and  
25 especially its location on Catholic University's West Campus,

1 | there should be very little to no impact from this use on any  
2 | nearby low density residential neighborhoods.

3 |           The Office of Planning is also very excited about this  
4 | opportunity for a large green energy facility. It's an exciting  
5 | opportunity not only for the university, but for the city as a  
6 | whole. So with those criteria in mind, the Office of Planning  
7 | is recommending approval of the application, and I'd be happy to  
8 | take any questions. Thank you.

9 |           CHAIRPERSON HOOD: Thank you, Mr. Jesick for a  
10 | straight, straight report.

11 |           Commissioners, let's see if we have any questions of  
12 | the Office of Planning.

13 |           Commissioner May.

14 |           COMMISSIONER MAY: I do not. Thank you.

15 |           CHAIRPERSON HOOD: Okay. Commissioner Imamura and Vice  
16 | Chair Miller.

17 |           COMMISSIONER IMAMURA: I do not.

18 |           VICE CHAIR MILLER: No. Thank you, Mr. Jesick.

19 |           CHAIRPERSON HOOD: Okay. Ms. Prince and Ms. Nauta-  
20 | Rodriguez, do you have any questions of the Office of Planning?

21 |           MS. PRINCE: No. Thank you.

22 |           CHAIRPERSON HOOD: All right. Well, thank you, Mr.  
23 | Jesick, as always, for your report, a very fine report, even  
24 | though I can't see it again right now.

25 |           Let's go to DDOT. Does somebody have the DDOT letter

1 | handy to read maybe the recommendation? Whoever has it can read  
2 | it; I just can't open it right now. Just whatever the  
3 | recommendation was for the record.

4 |           COMMISSIONER MAY: I can do that.

5 |           CHAIRPERSON HOOD: I might be able to do that.

6 |           COMMISSIONER MAY: I have it.

7 |           CHAIRPERSON HOOD: Okay. Commissioner May.

8 |           COMMISSIONER MAY: Just going straight to the  
9 | recommendation that says, "DDOT has reviewed the application  
10 | materials and has determined that the installation of a solar  
11 | facility will not have adverse impacts on the District's  
12 | transportation network. However, in the short-term, the solar  
13 | facility will preclude planned east-west connectivity through the  
14 | West Campus. Therefore, DDOT has no objection to the approval  
15 | of this application so long as the Zoning Commission sets a  
16 | timeframe for the interim solar facility use and is documented  
17 | in the Zoning Order. DDOT looks forward to working with the  
18 | Applicant during the next Campus Plan update on the long-term  
19 | vision for to the West Campus."

20 |           So, you know, I mean, it's --

21 |           CHAIRPERSON HOOD: Thank you.

22 |           COMMISSIONER MAY: It seems to me that that's their  
23 | interest in the -- in having it time-limited is really dependent  
24 | on future development of the campus plan anyway. So I don't know  
25 | that the request for a time limit, the specific time limit is

1 really that important. We're going to be looking at the campus  
2 plan, it sounds like two or maybe even three times before this  
3 thing goes out in use. So well, maybe you will, Mr. Chairman  
4 actually. I'm not sure I'll be here in 5 years, 15 years and 25  
5 years but --

6 CHAIRPERSON HOOD: Yeah. I don't think I'll be around  
7 here either, not doing this. I'll be riding my bicycle at 80  
8 years old on New York Avenue.

9 COMMISSIONER MAY: Right. Past the solar facility,  
10 wondering if you made the right decision.

11 CHAIRPERSON HOOD: Yeah. I'll still be passing it,  
12 thinking, it doesn't look bad to me though. But I'm glad you  
13 know exactly which one I'm talking about.

14 COMMISSIONER MAY: I know which one you're talking  
15 about.

16 CHAIRPERSON HOOD: So anyway. All right. So thank  
17 you, Commissioner May for reading that. I would associate myself  
18 with your comments and also the Vice Chair. And we'll -- that'll  
19 be part of our discussion. To me, I don't think that's a major  
20 deal. I don't think we have anyone here from DDOT, so we'll just  
21 leave it at that. And if we do, hopefully, they can speak up  
22 before the hearing is over. And also, as Commissioner Imamura  
23 has already commented on DOEE's comments, as well. And I think  
24 those -- that was the only other government agency that we had,  
25 and somebody can correct me if not.

1           Let me go to the ANC letter, which we've already spoke  
2 about. One moment, please. Somebody is -- well, Chairman --  
3 that was ANC 5A voted in support. Give me one moment to open up  
4 my email. And basically, it says, "Therefore, be it resolved,  
5 that ANC 5A voted 6-1-0 to support Catholic University's  
6 application for an amendment to an approved Campus Plan and  
7 further processing of a Campus Plan for the installation of an  
8 Accessory Solar Facility on the West Campus."

9           And I also want to thank Ms. Prince and Catholic  
10 University and Ms. Nauta-Rodriguez for filing and showing us the  
11 compliance. That did not go lost on us. And you filed the update  
12 on the status, your compliance with the current campus plan  
13 conditions from the previous order, so thank you for that. I  
14 don't have anything else. Any follow-up questions on that?

15           (No audible response.)

16           CHAIRPERSON HOOD: And I don't think we have anyone  
17 from DDOT, so we will continue. Let's go to -- do we have anyone  
18 -- previously, Ms. Schellin has already mentioned, we didn't have  
19 anyone signed up to testify in support, opposition or undeclared.

20           Mr. Barron, do we have anyone that has come on since  
21 then?

22           MR. BARRON: (No audible response.)

23           CHAIRPERSON HOOD: I think you're on mute, Mr. Barron.

24           MR. BARRON: Sorry. There's a special mute button on  
25 this headset, I didn't realize I had it on.

1           There is no one who was registered to testify except  
2 for people associated with the applicant.

3           CHAIRPERSON HOOD:   Okay.   Thank you very much, Mr.  
4 Barron.   We appreciate that.

5           Ms. Prince, do you have any -- well, I don't know how  
6 much rebuttal you can have because I didn't hear a whole lot of  
7 opposition.   But do you have any closing -- rebuttal or closing  
8 remarks?

9           MS. PRINCE:   I just had a few brief closing remarks.  
10 And thank you so much for your time tonight.   We really -- we're  
11 thrilled about this project.   So we are glad to get this kind of  
12 reaction.

13           I just wanted to address two things.   On the trees, I  
14 mean, we have an incredibly detailed tree inventory.   We have  
15 -- we understand the health of the trees, the size of the trees.  
16 We're -- we can't give you the exact numbers at this point, but  
17 you can rest assured that our engineers know the site better than  
18 anyone.   And while they've been laying out the solar in the most  
19 effective way to lay it out and achieve the stormwater goals,  
20 tree preservation is paramount.   We have a partnership with Casey  
21 Trees.   They have a nursery on our property.   Trees are extremely  
22 important to Catholic.

23           When I went to Catholic, there were hardly any trees  
24 on the campus.   The tree canopy now is dramatically different  
25 because of the efforts of the University.   So I just want you to

1 understand that trees are really important to the University.  
2 And on the 100-foot buffer question that was raised, you know, I  
3 hesitate to use the word "arbitrary," but that that number really  
4 was an arbitrary number suggested by DOEE. Our setback numbers  
5 are not arbitrary. They're minimums based on our thorough  
6 understanding of the site conditions, and we have a minimum  
7 setback of 60 feet. Where we can have a greater buffer than that  
8 based on final field conditions, we will increase it. Absolutely  
9 no issue, just like we are going to minimize tree loss to the  
10 extent we can. But we can't, you know, commit to 100 feet at  
11 this point based on what we know about the site conditions. So  
12 we appreciate DOEE's interest in maximizing the buffer, but we've  
13 been studying this site exhaustively for more than two years.  
14 And if we could have readily agreed to it, we would have, but we  
15 can't. We can agree to the 60 feet and the ample screening along  
16 Harewood Road. So I think there's got to be a little bit of a  
17 climate of trust here. I mean, this is the University's view as  
18 well. Their campus is across the street. The parking theater  
19 is across the street. They are in many ways the most effective  
20 neighbor.

21           So I would just ask you to give us the flexibility we  
22 need to achieve a viable solar project, meet the stormwater  
23 requirements, preserve the maximum number of trees, and have a  
24 buffer that will function well for us.

25           CHAIRPERSON HOOD:   Okay.   Ms. Prince, I think we

1 definitely got your point, so thank you.

2 I do want to acknowledge -- I forgot, Casey Trees also  
3 had a letter in support, as well as the Basilica of the National  
4 Shrine. And I did not want to -- anytime somebody takes time to  
5 support anything or take time to just write us a letter, I wanted  
6 to make sure I mentioned that.

7 So with that, colleagues, any follow-up questions or  
8 comments?

9 (No audible response.)

10 CHAIRPERSON HOOD: So I think this is pretty  
11 straightforward. I don't see a whole lot of opposition. If we  
12 want to discuss the term, I think I'm not sure where everyone  
13 else is. I would associate myself; I think with Commissioner May  
14 and Vice Chair Miller about the term. I'm not really too worried  
15 about the term. As mentioned, there'll be back a few times before  
16 -- in front of the Commission a few times previously, and if  
17 there are problems, we can deal with them then. But I think Ms.  
18 Prince's point, I take it well. I learned this years ago, that  
19 people want to know predictability, and they want to make sure  
20 that they know what they're getting into when they're doing things  
21 projects of this nature and other projects. And I think that's  
22 -- the city should be predictable. So that's kind of where I am  
23 on that one.

24 But let me open it up for any questions or comments on  
25 the term limit. And I think -- I don't know if others have any

1 more to expound on that.

2 COMMISSIONER MAY: No. I'm fine going without a term.

3 CHAIRPERSON HOOD: Okay. It looks like we have a  
4 consensus. Vice Chair, I think you're fine.

5 Commissioner Imamura?

6 COMMISSIONER IMAMURA: I'm in agreement.

7 CHAIRPERSON HOOD: Okay. All right.

8 All right. And I know where the Vice Chair is. I  
9 don't -- Vice Chair, let me hear from you just in case. I know  
10 I heard from you previously.

11 VICE CHAIR MILLER: Yes. I gave you a thumbs up. You  
12 missed my video, a thumbs up. Yes. Thumbs up.

13 CHAIRPERSON HOOD: You just said -- you're just too  
14 relaxed. I had to have you move forward.

15 All right. So with that, something -- okay.

16 Commissioner May, just a heads up. I'm going to need  
17 you to mention after we do the vote. I'm going to need you to  
18 mention what the Commission is going to hear on Monday since you  
19 can open up ZDocs and I can't. Just so I give you a heads up.

20 Okay. So Commissioners, we have this before us. I  
21 think this is ready for us to move forward. No sense in delaying  
22 in this for a meeting.

23 Would somebody like to make a motion? Commissioner  
24 May?

25 COMMISSIONER MAY: Yeah. Mr. Chairman, I think, you

1 know, Commissioner Imamura and I had been brought up some topics.  
2 And Commissioner Imamura was hoping to actually have the record  
3 supplemented with something that shows the line of the buffer.  
4 And then also -- what was the other one? Oh, the documentation  
5 of tree loss and replacement. And I don't know how important  
6 that is. And certainly, I wouldn't want to delay a decision in  
7 order to get that documentation. I mean, can we leave the record  
8 open for those things to be submitted just so that they're in  
9 the record? I mean --

10 CHAIRPERSON HOOD: Sure. Sure.

11 COMMISSIONER MAY: Would that be satisfactory,  
12 Commissioner Imamura?

13 COMMISSIONER IMAMURA: I think that'd be perfectly  
14 acceptable.

15 COMMISSIONER MAY: Because it doesn't -- I mean, I  
16 agree, it does make any sense that we would delay a decision on  
17 this for a meeting just to see those couple of things.

18 COMMISSIONER IMAMURA: I agree.

19 CHAIRPERSON HOOD: Okay. So Commissioner May, so what  
20 I'm hearing from you and Commissioner Imamura is everything that  
21 you all have asked for, you have no problem delaying it, but  
22 would you like for the applicant to supplement the record with  
23 those?

24 COMMISSIONER MAY: I can go either way on whether the  
25 applicant submits, but Commissioner Imamura.

1           COMMISSIONER IMAMURA: Yeah. I'd like to leave the  
2 record open, but I think it'd be important to have that  
3 documentation in the record.

4           CHAIRPERSON HOOD: Okay. So with that, I think we got  
5 that out of the way. Let's see if we'd like to -- I think we're  
6 ready to proceed unless I hear something else.

7           MS. LOVICK: Wait. I'm sorry. I just want to make  
8 sure I understand what you're doing. You're saying you want to  
9 leave the record open but take a vote now?

10          COMMISSIONER MAY: Yeah. I think the theory is that  
11 this is information that, you know, we are relying on the  
12 applicant to have stated, you know, in their case, as it were,  
13 but it would be good to have in the record the long term  
14 documentation of where the buffer will be and what the tree loss  
15 and replacement strategy is. Just to have those things within  
16 the record, but they're not --

17          MS. LOVICK: Right. I understand. It's just that you  
18 -- I mean, once you vote, I mean, the record is closed -- the  
19 record is closed when you vote. So it's --

20          COMMISSIONER MAY: You know, I have heard it done this  
21 way and I've also --

22          CHAIRPERSON HOOD: Uh-huh. We've done it.

23          MS. LOVICK: Okay. I mean, obviously, you know, I  
24 understand. I just wanted to interject just to --

25          COMMISSIONER MAY: Yeah.

1 MS. LOVICK: -- ask, but you know what, that's perfectly  
2 fine. Go -- please proceed. I certainly don't want to hold up  
3 (audio interference).

4 CHAIRPERSON HOOD: Let me just say this. While we have  
5 done it before, Ms. Lovick, I always depend on my counsel, because  
6 you're going to be the one that have to defend it. When it comes  
7 to defending Anthony Hood, we'll be doing something totally  
8 different. So what I'm saying is, if that's what you think we  
9 need to do, but we have done it before on a number of occasions,  
10 but if -- since you're now our counsel, if you believe that that's  
11 the way we should go, then that's the way we will do it.

12 MS. LOVICK: Oh, no because I don't believe -- it is  
13 not something that is -- there's no contingency on that  
14 documentation being a part of the record for you to be able to  
15 vote. You're just saying that you want it to supplement the  
16 record.

17 COMMISSIONER MAY: Yes.

18 MS. LOVICK: So I guess in that way, it's a nuance kind  
19 of exception to kind of what would normally take place. So I'm  
20 not raising an issue. I just wanted to make sure I understood  
21 what you were proposing.

22 COMMISSIONER MAY: Yes.

23 CHAIRPERSON HOOD: Okay.

24 MS. LOVICK: Right. I will --

25 MS. SCHELLIN: That is not --

1 MS. LOVICK: -- stop then.

2 MS. SCHELLIN: I think -- if I may, Chairman Hood,  
3 just to clear up what we've done in the past. If it's not new  
4 information, I think that's what Hillary is saying. If it's not  
5 new information, it's basically just something that -- it's just  
6 --

7 MS. LOVICK: Supplemental basically.

8 MS. SCHELLIN: -- more realizing what -- exactly.

9 MS. LOVICK: Yeah. Uh-huh.

10 MS. SCHELLIN: And that's what we've done that -- no  
11 new information can be put in once the vote has been taken.

12 CHAIRPERSON HOOD: Right. Right. Because you have to  
13 comment on it. Okay. So --

14 MS. SCHELLIN: Right.

15 CHAIRPERSON HOOD: I think we're probably all saying  
16 something similar. I don't think there's anything new. It's  
17 already been discussed. So Commissioner May and Commissioner  
18 Imamura, I'm leaving it to you two since that's where it -- a  
19 lot of it came from.

20 COMMISSIONER MAY: I didn't feel strongly that we had  
21 to have it in the record in the first place. But I was just  
22 noting that Commissioner Imamura had asked for it, so -- to be  
23 submitted.

24 COMMISSIONER IMAMURA: So I certainly appreciate  
25 Commissioner May's support and want to show, you know, deference

1 | to our legal counsel. I don't want to do anything that's outside  
2 | the boundaries here. And I think -- my interpretation would be  
3 | that it's supplemental information. So to put Ms. Prince at ease  
4 | in terms of the 100-foot buffer negotiation and the 60-foot buffer  
5 | that they already have, I certainly think she has made a case.  
6 | And so it would only be supplemental information just to delineate  
7 | their 60-foot buffer, their proposed 60-foot buffer to what they  
8 | know based on site conditions today, I think would be acceptable.

9 |           In terms of quantify the tree loss count, they have  
10 | acknowledged that there is tree loss count, and they have, in  
11 | fact, planted some additional trees. I think it would behoove  
12 | them to at least quantify that as they move the project forward.  
13 | But I would think at least to supplement the record, they would  
14 | want to delineate that 60-foot buffer, so I would be perfectly  
15 | amenable to it.

16 |           CHAIRPERSON HOOD: Okay. So Ms. Lovick, are we good  
17 | now?

18 |           MS. LOVICK: Yes, I think we're good. Thank you for  
19 | further clarification, everyone. All right. Please proceed.

20 |           CHAIRPERSON HOOD: Thank you.

21 |           So that's what I like to hear, the green light from our  
22 | counsel. Because I always have depended on our counsel because  
23 | they're going to be the ones that have to defend our actions. So  
24 | anyway.

25 |           All right. Enough said on that.

1           Commissioners, I think we're ready to -- if somebody  
2 can make a motion.

3           COMMISSIONER IMAMURA: Sure. I'll make the motion, Mr.  
4 Chairman.

5           CHAIRPERSON HOOD: Sure.

6           COMMISSIONER MAY: So Mr. Chair, I move that the Zoning  
7 Commission take final action on Case No. 12-01E; the Catholic  
8 University of America, Campus Plan Amendment and Further  
9 Processing (Solar Facility) at Square 3663, Lot 7; Square 3671,  
10 Lot 3; Square 3821, Lot 44; West Campus, Michigan Avenue East  
11 with no time extension required.

12          CHAIRPERSON HOOD: Okay. It's been moved. Can I get  
13 a second?

14          VICE CHAIR MILLER: Second.

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

17          (No audible response.)

18          CHAIRPERSON HOOD: Excellent motion.

19          Any further discussion?

20          (No audible response.)

21          CHAIRPERSON HOOD: Okay. Ms. Schellin, I think -- can  
22 you do the roll call vote?

23          MS. SCHELLIN: Yes.

24          CHAIRPERSON HOOD: Okay.

25          MS. SCHELLIN: Commissioner Imamura?

1 COMMISSIONER IMAMURA: Yes.

2 MS. SCHELLIN: Commissioner Miller?

3 VICE CHAIR MILLER: Yes.

4 MS. SCHELLIN: Commissioner May?

5 COMMISSIONER MAY: Yes.

6 MS. SCHELLIN: Commissioner Hood?

7 CHAIRPERSON HOOD: Yes.

8 MS. SCHELLIN: The vote is 4-0-1, Commissioner Shapiro

9 not present and not voting, to approve final action in Zoning

10 Commission Case No. 12-01E. And we'd ask the applicant to provide

11 us the draft order within two weeks.

12 MS. PRINCE: Great.

13 MS. SCHELLIN: And I believe -- can that be a summary

14 order?

15 CHAIRPERSON HOOD: That's what I was going to ask. Can

16 we make that a summary order, I'm -- also, to you Ms. Schellin

17 and Ms. Lovick? Can we make that a summary order, colleagues,

18 summary order?

19 (No audible response.)

20 CHAIRPERSON HOOD: Yes. I think this can be a summary

21 order.

22 MS. LOVICK: Yes. There's no party that this is adverse

23 to, yes.

24 CHAIRPERSON HOOD: All right. So we'll make this a

25 summary to.

1 All right, Ms. Schellin, do we have anything else?

2 MS. SCHELLIN: No, sir.

3 CHAIRPERSON HOOD: All right. Ms. --

4 MS. SCHELLIN: If we could have also Ms. Prince provide  
5 those two documents into the record within a week?

6 MS. PRINCE: Uh-huh. Yes.

7 MS. SCHELLIN: Okay. Thank you.

8 CHAIRPERSON HOOD: Okay. I want to thank Ms. Prince  
9 and Ms. Nauta-Rodriguez for your presentation this evening.  
10 Great job. Continue to do what you do for Catholic University  
11 and the residents. And I think we will have -- continue that  
12 great partnership and working partnership that you have.

13 Commissioner May, could you announce when the next  
14 meeting will be for the Zoning Commission, please?

15 COMMISSIONER MAY: Certainly. On Monday, January 10th  
16 at 4:00 p.m., the Zoning Commission will consider Zoning  
17 Commission Case 19-29, which is UM 1348 4th Street, Northwest,  
18 LLC, and 1250 4th Street, Northeast, LLC: Consolidated PUD and  
19 map amendment at Square 3587, Lots 3 and 7. There might have  
20 been a northwest and the northeast there that got mixed up, but  
21 I'm reading it straight off of the invitation again.

22 Anyway, Monday 4:00 p.m., consolidated PUD and map  
23 amendment. Can't wait.

24 CHAIRPERSON HOOD: Thank you, Commissioner May. And  
25 we will be on these same platforms, as Commissioner May has

1 | already mentioned. Thank you very much. And hopefully by Monday,  
2 | I will have my ZDocs opening up. (Audio interference) long to  
3 | figure it out, but I'm sure I'll get it. My grandkid -- I'll  
4 | call my grandkids to help me.

5 |           Okay. So with that, I want to thank everyone for their  
6 | participation tonight. And with that, this hearing is adjourned.  
7 | Good night, everyone. Again, Happy New Year.

8 |           (Whereupon, the above-entitled matter went off the  
9 | record at 5:03 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: 01-06-2022

Place: Teleconference

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