

GOVERNMENT OF
THE DISTRICT OF COLUMBIA

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ZONING COMMISSION

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PUBLIC HEARING

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IN THE MATTER OF: :
 :
Dance Loft Ventures, LLC :
Consolidated PUD & Related :
Map Amendment from MU-3A : Case No. 21-18
to MU-5A, 4608-4616, 4618 :
14th St., NW & 4 Alley Lots :
@ Sq. 2704, Lots 64, 815, :
819, 821, 823, 828, 830-833 :
- Ward 4 :
 :
-----:

THURSDAY

MAY 5, 2022

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The Public Hearing of Case No. 21-18 by the District of Columbia Zoning Commission convened via videoconference, pursuant to notice at 4:00 p.m. EDT, Anthony J. Hood, Chairman, presiding.

ZONING COMMISSION MEMBERS PRESENT:

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

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OFFICE OF ZONING STAFF PRESENT:

SHARON SCHELLIN, Secretary
PAUL YOUNG, Zoning Data Specialist

OFFICE OF PLANNING STAFF PRESENT:

JENNIFER STEINGASSER, Deputy Director
KAREN THOMAS, Project Manager
JOEL LAWSON, Project Manager
STEPHEN J. MORDFIN, Project Manager

DISTRICT DEPARTMENT OF TRANSPORTATION PRESENT:

EMMA BLONDIN, Transportation Planner

ADVISORY NEIGHBORHOOD COMMISSION 4C (ANC 4C) PRESENT:

ULYSSES CAMPBELL, Commissioner

OFFICE OF ZONING LEGAL DIVISION STAFF PRESENT:

JACOB RITTIG, ESQUIRE

The transcript constitutes the minutes from the
Public Hearing held on May 5, 2022

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

OPENING STATEMENT:

Anthony Hood 4

PRELIMINARY MATTERS:

Anthony Hood 5

PRESENTATION:

Case No. 21-18: Dance Loft Ventures, LLC
 Consolidated PUD & Related Map Amendment
 from MU-3A to MU-5A; 4608-4616, 4618 14th St., NW
 & 4 alley lots @ Sq. 2704 (Lots 64, 815, 819,
 821, 823, 828, 830-833) - Ward 4 25

COMMENTS AND QUESTIONS:

Commissioners 68

OFFICE OF PLANNING STAFF PRESENT:

Stephen J. Mordfin 121

DISTRICT OF COLUMBIA DEPARTMENT OF TRANSPORTATION:

Emma Blondin 124

COMMENTS AND QUESTIONS:

Commissioners 125

ADVISORY NEIGHBORHOOD COMMISSION (ANC4C):

Ulysses Campbell 131

PUBLIC COMMENTS:

Public. 141

COMMENTS AND QUESTIONS:

Commissioners 178

CLOSING REMARKS:

Anthony Hood 225

ADJOURN:

Anthony Hood 226

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

(4:00 p.m.)

CHAIRPERSON HOOD: All right. Good afternoon, ladies and gentlemen. Today's date is May the 5th, 2022, Cinco de Mayo. We are convening and broadcasting this public hearing by video conferencing. My name is Anthony Hood, and I'm joined by -- soon to be joined by Vice Chair Miller, Commissioner Imamura, and Commissioner May. We are also joined by the Office of Zoning staff, Sharon Schellin, as well as Mr. Paul Young, who's handling all of our virtual operations, as well as our legal counsel from the Office of Zoning's Legal Division, Mr. Jacob Rittig. We will ask all others to introduce themselves at the appropriate time.

The virtual public hearing notice is available on 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 signup, all participants will complete the oath or affirmation required by Subtitle Z, 408.7 accordingly. And all those listening by WebEx or by phone 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. If you experience difficulty accessing WebEx or with your
3 telephone call-in or have not signed up, then please call our OZ
4 hotline number at 202-727-0789. If you wish to file written
5 testimony or additional supporting documents during the hearing,
6 then please be prepared to describe and discuss it at the time
7 of your testimony.

8 The hearing will be conducted in accordance with
9 provisions of 11-Z DCMR, Chapter 4, as follows: preliminary
10 matters, applicant's case. The applicant has up to 60 minutes.
11 Collectively with -- then we'll -- if we have parties, depending
12 upon how we go, we will -- Ms. Schellin will be able to keep
13 those time limits. Report of the Office of Planning and
14 Department of Transportation; report of other government
15 agencies; report of the ANC. Testimony of organizations, five
16 minutes and individuals, three minutes. And we will hear in the
17 following order from those who are in support, opposition, and
18 undeclared. Then we'll have rebuttal and closing by the
19 applicant. Again, the OZ hotline number is 202-727-0789.

20 All right. Just bear with me. At this time, the
21 Commission will consider any preliminary matters.

22 Does the staff have any preliminary matters?

23 But I think, Ms. Schellin, before you go to preliminary
24 matters, I have a statement that I would like to read, and then
25 we'll get into the case. Obviously, from our colleagues --

1 MS. SCHELLIN: Do you want to read -- do you want to
2 read that maybe afterwards when more people have come on, maybe?

3 CHAIRPERSON HOOD: Okay. I will take the advice of
4 Ms. Schellin, and we're not going to have more people. Okay. So
5 --

6 MS. SCHELLIN: Yeah.

7 CHAIRPERSON HOOD: -- let's do this.

8 MS. SCHELLIN: I'm just thinking it might be better -
9 -

10 CHAIRPERSON HOOD: Okay.

11 MS. SCHELLIN: -- when a few more people have logged
12 on.

13 CHAIRPERSON HOOD: Okay. I actually have two
14 statements, actually. At this time, the Commission will consider
15 any preliminary matters.

16 Does the staff have any preliminary members?

17 MS. SCHELLIN: I do. I have a couple. As the
18 Commission knows, there was party status in opposition granted
19 to one group, Friends of 14th Street already. They received
20 party status in advance. So we have a party status request from
21 David M. Hollis at Exhibit 342 in opposition, as well as
22 opposition to that request from the applicant at Exhibit 425 for
23 the Commission to consider. Basically, the applicant is saying
24 that they do not think that Mr. Hollis actually wants party
25 status, because he's only requesting five minutes for his

1 presentation, and they do not feel he's uniquely affected,
2 because of the distance between the project site and his property.
3 However, this is for the Commission to determine. So that's the
4 first preliminary matter.

5 CHAIRPERSON HOOD: Okay. Let's deal with them one at
6 a time.

7 Mr. Young, can we bring Mr. Hollis up, please? Because
8 I appreciate the applicant mentioned that, but I want to hear
9 from Mr. Hollis. I, too, felt that he may not be uniquely
10 affected, but I want to make sure. The first part of which the
11 applicant disclosed, I want to hear straight from Mr. Hollis. I
12 want to hear what his intentions were.

13 Good afternoon, Mr. Hollis.

14 MR. HOLLIS: Afternoon, Chairman Hood.

15 CHAIRPERSON HOOD: I think you've heard the -- first,
16 if you can identify yourself, even though I just mentioned your
17 name.

18 MR. HOLLIS: David Hollis, 1419 Crittenden Street,
19 Northwest.

20 CHAIRPERSON HOOD: Well, Mr. Hollis, you have asked for
21 party status. And actually, when I look at your submission, and
22 putting aside what the applicant thinks, it's really going to be
23 about what the Commission thinks, but when I look at it, I think
24 that you are particularly asking to testify, but I don't
25 necessarily know if you are uniquely affected. So I would ask

1 -- I can't ask you to join a party or anything, but do you still
2 want to be party status, or are you just trying to testify?

3 MR. HOLLIS: I joined -- I'm part of the Friends of
4 14th Street party status request, so I intended to testify in any
5 event today.

6 CHAIRPERSON HOOD: So your individual request, we will,
7 in turn, deny that, because you're already a part with the Friends
8 of 14th Street.

9 MR. HOLLIS: That's fine with me.

10 CHAIRPERSON HOOD: Okay. Okay. I just wanted to make
11 sure we're clear. Okay. So you're included in that. That's -
12 - actually, I was going to ask you that, but I -- I'm -- that
13 issue has taken care of itself. So thank you, Mr. Hollis.

14 So we will just do that by general consensus.

15 And Mr. Hollis, we'll see you a little bit later.

16 Again, we've now been joined by the Vice Chair. I
17 mentioned he will join us shortly. We're -- we're considering
18 the status of -- the party status of Mr. Hollis who has just
19 informed us that he is part of the Friends of 14th Street.

20 VICE CHAIR MILLER: Okay.

21 CHAIRPERSON HOOD: So I don't think that we need to do
22 any motions on that. I think we can just do that by general
23 consensus and deny the -- his individual request, knowing that
24 he's Friends of 14th Street.

25 Any objections?

1 (No audible response.)

2 Okay. Ms. Schellin, let's move to the next issue,
3 please.

4 MS. SCHELLIN: Okay. So the next party status request,
5 as the Commission knows, has been withdrawn, and that was the
6 displaced tenants. They did submit a withdrawal request, just
7 so those who may be in the audience who has looked -- who have
8 looked at the record and are wondering why we're not taking that
9 up. It was withdrawn, I believe, this morning or late yesterday
10 afternoon. So the displaced tenants are no longer requesting
11 party status.

12 And then, let's see, there's a motion for -- so that's
13 all the party status requests. Then there's a motion for
14 postponement that was applied --

15 CHAIRPERSON HOOD: So before we -- Ms. Schellin, before
16 we go to the postponement motion, let's just talk about -- the
17 only party we have in opposition are the Friends of 14th Street,
18 because the displaced tenants have come to an agreement.

19 MS. SCHELLIN: That's correct.

20 CHAIRPERSON HOOD: Kudos to all of them, and we will
21 have a party in opposition who will be represented by Mr. Donohue
22 from the Friends of 14th Street. Okay.

23 MS. SCHELLIN: Correct.

24 CHAIRPERSON HOOD: Thank you.

25 MS. SCHELLIN: And so, with that being said, the Friends

1 of 14th Street have filed a request for postponement, and that
2 is at Exhibit 724.

3 CHAIRPERSON HOOD: So, Ms. Schellin, do you think --
4 I'm not looking at how many people. Do we have enough people on
5 for me to read those two statements, or should I wait, or should
6 we -- and I mean, I'm asking.

7 MS. SCHELLIN: We have 49 people that are on right now.
8 I -- I'll leave it to -- to your --

9 CHAIRPERSON HOOD: Okay.

10 MS. SCHELLIN: -- your decision.

11 CHAIRPERSON HOOD: And I may have to read it later.
12 I'd like to just read it once, but I think it's important that I
13 read this up front. So let me go ahead and read this.

14 MS. SCHELLIN: Okay.

15 CHAIRPERSON HOOD: And then we would be also then -- I
16 will read my statement, I'll try to clarify my statements, then
17 we will deal with the postponement issue. And then if, depending
18 upon how far we go on that decision, I will read -- this is our
19 first case, colleagues, that we mentioned that we will be using
20 our Racial Equity Tool in this case, and I want to make sure that
21 it's known that what we're doing and what we'll be looking at as
22 well.

23 So this is my statement to clarify some of the -- what
24 I've read in the record, some of the things I've been asked at
25 oversight hearing, and some of the things I've been asked in my

1 confirmation. And I want to clarify my -- my always intentions,
2 which I've been doing for over 20 years.

3 I think it is always important that applicants engage
4 with the community that they work in. That's why in our December
5 meeting, in this case, particularly on this case, I suggested
6 that Dance Lofts get in touch with the Ward 4 councilmembers and
7 surrounding neighbors to make sure that all were engaged. I
8 didn't (indiscernible) just do it in this case. I've been doing
9 it for years. I do it in Ward 8. I do it all over the -- in
10 cases.

11 The last thing I want is for someone to be left out or
12 blindsided by a project that impacts their community. From what
13 I've seen in the letters and testimonies submitted before the
14 Board on this case, it appears that the applicants have worked
15 to some degree and have talked to the councilmembers and have
16 talked to the ANC commissioners. At no time was I soliciting
17 for any councilmembers, any ANCs or anybody to come and testify
18 today. That is not my intent. My goal when I say that, and I
19 said it just last week, is for the communities to work together
20 so we can close the gap prior to coming in front of the Zoning
21 Commission.

22 The Zoning Commission is an independent body. We do
23 not depend on councilmembers to help our decision. We depend on
24 the law. We depend on our communities to help us shape the
25 decision, but we make the decisions. So councilmembers and

1 community can choose whether they come or not. I was not
2 soliciting any councilmembers. I'm not soliciting anyone who
3 does not want to be a part. What I'm doing is asking all of us
4 to work together, because if you see tonight the displaced tenants
5 -- and I'm just going to use that example -- it's funny how that
6 worked out. The displaced tenants have come to an agreement.
7 That's what we like to see, to where we can all work together
8 and things can coexist together.

9 So that's my statement. I may have to say it again,
10 but please don't misunderstand. I also noticed in the briefing
11 from one of the parties that I admonished him. I was not
12 admonishing him. I'm -- it's called encouragement. And I can
13 tell you, through my tenure, it has worked. So let's continue
14 to make it work.

15 This Board is independent. This Board will make a
16 decision, whoever comes to testify and whoever doesn't, so I just
17 wanted to make that clear. So thank you for indulging me.

18 Let's go with the party status request now. And I'm
19 hoping I don't have to repeat that again, because I think I --
20 what I -- but I'm -- I think it works. So unless my colleagues
21 object, I will continue to ask applicants in cases to continue
22 to work with the community, the ANC or Commission or whoever. So
23 they can continue to collaborate, so when they get to us, the
24 gap is a little closer.

25 So let's bring up Mr. Utz and Mr. Donohue.

1 MS. SCHELLIN: So the request to postpone, as I said,
2 was at -- was made by the Friends of 14th Street. The opposition
3 is at 763 from the applicant.

4 CHAIRPERSON HOOD: Right. And they -- and Mr. Utz is
5 representing the applicant; am I correct?

6 MS. SCHELLIN: Yes.

7 CHAIRPERSON HOOD: And -- oh, okay.

8 MS. SCHELLIN: Correct.

9 CHAIRPERSON HOOD: I remember some of this off the top
10 of my head (indiscernible).

11 MS. SCHELLIN: And Mr. Lewis -- David Lewis.

12 CHAIRPERSON HOOD: Oh, and Mr. -- now if Mr. Lewis
13 needs to come up, he can come up as well. Mr. Donohue can --

14 MS. SCHELLIN: I think just Mr. Utz is good. I think
15 Mr. Lewis is probably going to be taking notes --

16 CHAIRPERSON HOOD: Okay.

17 MS. SCHELLIN: -- in the background, but they're both
18 attorneys of record.

19 CHAIRPERSON HOOD: Okay.

20 So Mr. Donohue and Mr. Utz, good afternoon.

21 Mr. Donohue, I would like for you to go first. Could
22 you repeat your request, so we have it memorialized? And
23 Mr. Donohue, because I have somewhere I'm trying to go here, so
24 work with me. Just give us a sound bite version for the public
25 and for us as well.

1 MR. DONOHUE: Got you. Mr. Chairman, briefly, I'm
2 Ed Donohue. I represent Friends of the 14th Street. We had
3 submitted the motion in an effort to support the business owners,
4 the displaced business owners, with their request for
5 postponement. As you know, they've worked it out. They've
6 withdrawn their request for party status. They are now a party
7 in support -- a group in support, so we're ready to go.

8 CHAIRPERSON HOOD: Okay. So we can dispel with that
9 too. So far, it's going well. Let's continue the trend. Let's
10 continue the trend. Okay. Well, thank you, Mr. Donohue. We're
11 ready to go.

12 MR. DONOHUE: Thank you.

13 CHAIRPERSON HOOD: All right. So --

14 MS. SCHELLIN: Oh, thank you very much.

15 CHAIRPERSON HOOD: I do have one more announcement.

16 MS. SCHELLIN: Okay, you go. Mine are easy after that.
17 Mine are easy.

18 CHAIRPERSON HOOD: Yeah, that's -- yeah, yeah.

19 Okay, so let me find it. Okay. This is about the
20 Racial Equity Tool, since we're going forward. Give me one
21 second, let me find it. Give me one second. And I called myself
22 prepared before I came on to open the file, and, naturally, I
23 can't find it right quick. At the same time, why don't we just
24 bring up -- start bringing people up?

25 MS. SCHELLIN: So we need to proffer the expert

1 witnesses while you're looking. Could I go ahead and let you
2 know about those, while you're looking?

3 CHAIRPERSON HOOD: I will probably find it by then.
4 Give me one -- just give me one second, because I think it's
5 important.

6 MS. SCHELLIN: Okay.

7 CHAIRPERSON HOOD: Let's take a two-minute break. I
8 think it's important. Excuse me. Let's take a two-minute break.

9 MS. SCHELLIN: Okay.

10 (Off the record)

11 (On the record)

12 CHAIRPERSON HOOD: As soon as I did, I knew I was
13 going to find it. Is everybody still here? I apologize
14 everybody, just -- it was right in front of me.

15 Well, I think Ms. Schellin and Commissioner May have
16 heard this, so I'm going to go ahead and read it anyway. Again,
17 I apologize for that. I found it as soon as I said take a two-
18 minute break.

19 As everyone knows, in the Comprehensive Plan now, we
20 have been given instructions by the council, the Mayor and the
21 city and the residents about using the Racial Equity Tool.
22 Tonight is our first time that we will be evaluating. We actually
23 have put something together, but tonight we have something
24 formalized. If you were looking for it, please go to the Office
25 of Zoning's website, and you will see some of the things that we

1 will be utilizing as our tool as we analyze these cases. I would
2 also ask that you stay tuned, because we're going to have a
3 roundtable after we use the -- have used this tool for a few
4 months. It's fluid. That we will -- I'll be asking for
5 improvements, and let's have a conversation. As I've stated in
6 the past that we will basically not just have a sound bite or
7 some words that sound good, but actually have an application that
8 we can apply that actually works.

9 So we would like to make an announcement to introduce
10 the Zoning Commission's Racial Equity Tool. This is a tool the
11 Commission intends to use in the -- in its Comp Plan consistency
12 analysis of zoning actions through a racial equity lens. As we
13 all know, the recent updates to the Comp Plan require the
14 Commission to evaluate all zoning actions through a racial equity
15 lens. The racial equity analysis is part of the overall Comp
16 Plan consistency analysis of zoning actions. The Office of
17 Planning has -- and the Office of Zoning, and all those who have
18 worked on it, has prepared a Racial Equity Tool for the
19 Commission. Our Legal -- Office of Zoning Legal Division has
20 prepared an equity tool for our -- for the Commission along with
21 us and our input to use its evaluation on zoning actions through
22 a racial equity lens.

23 To prepare the Racial Equity Tool, we have consulted
24 both the Commission, the Mayor's Office on Racial Equity, the
25 Council's Office on Racial Equity. We have just done a lot of

1 fact-finding.

2 The Racial Equity Tool is a one-page document that is
3 split into two parts. Part one provides guidance to the applicants
4 and petitioners about what specific policies in the Comp Plan
5 address equity. Part two is a listing of the criteria the
6 Commission will use in its evaluation of zoning actions through
7 a racial equity lens.

8 The Racial Equity Tool will be made available to the
9 general public, which it is now, on both the OZ website and the
10 Office of Planning website immediately. I don't know if it's
11 going to be on the Office of Planning's website, so I would
12 encourage everyone to go to the Office of Zoning's website.

13 The Commission intends to start using the tool on all
14 cases moving forward. The Commission expects the Office of
15 Planning and applicants and petitioners to use, document, and
16 refer to the Racial Equity Tool in submissions to the zoning case
17 record, where analysis of a zoning action through a racial equity
18 lens is required. After the Commission has used the tool in its
19 deliberations for a few discussions, we anticipate that the
20 changes and refinements to the tool will occur. To that end,
21 the Commission intends to hold a roundtable regarding the tool
22 in September to receive community input and feedback on both the
23 tool and the Commission's use of the tool thus far.

24 So if you have any questions on anything I've said, and
25 this is to the public, please call our -- the Office of Zoning

1 at 202-727- -- what's the last four? 727- whatever. What's the
2 last ---

3 MS. SCHELLIN: 0789 for help.

4 CHAIRPERSON HOOD: For help on this, but I mean if they
5 want to call the office --

6 MS. SCHELLIN: The Office of Zoning, 6311.

7 CHAIRPERSON HOOD: 6311 -- 7 -- 202-727-6311. All
8 right --

9 MS. SCHELLIN: That's our main number.

10 CHAIRPERSON HOOD: -- so I will probably read that in
11 the next few meetings. I'll fine-tune it, because some of it's
12 changed since I read it. But I -- and I was fine-tuning it as I
13 went along, so I will continue to read that. So anything -- any
14 questions on that? Any questions, you can call, again, the Office
15 of Zoning's -- the office.

16 All right, Ms. Schellin, let's go to the expert
17 witnesses.

18 MS. SCHELLIN: Yes.

19 CHAIRPERSON HOOD: And I thank everyone for their
20 indulgence.

21 MS. SCHELLIN: Yes. Okay. So the applicant has
22 proffered three experts; two who have previously been accepted,
23 if the Commission would accept them in this case. Sean Pichon
24 -- I'm not sure if pronounced that correctly -- as an -- in
25 architecture, if the Commission would accept him. And I do not

1 -- they did not give me his -- or his Exhibit number on this
2 report, so I cannot tell you what exhibit number.

3 CHAIRPERSON HOOD: I'm sure it's in the record.

4 MS. SCHELLIN: Yes, it is in the record, along with
5 Erwin Andres from Gorove Slade. He's previously been accepted
6 in transportation.

7 CHAIRPERSON HOOD: Okay. Let's deal with -- okay,
8 let's deal with those two first, because I think the other one
9 will --

10 MS. SCHELLIN: Uh-huh.

11 CHAIRPERSON HOOD: -- matter in a minute or so.

12 But Mr. Pichon and Mr. Andres have been accepted
13 previously. Any objections to continuing that status?

14 (No audible response.)

15 CHAIRPERSON HOOD: Okay, no objections.

16 Ms. Schellin, let's go to the next expert in civil
17 engineering.

18 MS. SCHELLIN: Yes. In civil engineering at
19 Exhibit 525K, James Gapinksi.

20 CHAIRPERSON HOOD: Okay. Ms. Schellin -

21 MS. SCHELLIN: I do not have him.

22 CHAIRPERSON HOOD: Okay. He has not been listed as a
23 expert. He's in -- his resume is in Exhibit 525. Any objections
24 or any questions or comments of him?

25 (No audible response.)

1 CHAIRPERSON HOOD: So not seeing or hearing any, we
2 will accept him as an expert in civil engineering.

3 MS. SCHELLIN: And the party in opposition is
4 proffering one expert. Do you want to go ahead and take care of
5 that now? I know typically we do it just before they give their
6 presentation, but if you want to do it now, I can give you that
7 now.

8 CHAIRPERSON HOOD: So -- and I think that's the traffic
9 consultant, right?

10 MS. SCHELLIN: Yes, it is.

11 CHAIRPERSON HOOD: Okay. I think it's his --

12 MS. SCHELLIN: And I'm sure I'm going to mess this one
13 up. Mr. Radhakrishnan. Mr. Donohue?

14 MR. DONOHUE: Okay. You know, you can call him Reju.

15 CHAIRPERSON HOOD: I think when I -- well, we'll get
16 to that point, but any objections on the party in opposition,
17 their transportation expert, Mr. --

18 MS. SCHELLIN: That Exhibit 760.

19 CHAIRPERSON HOOD: Exhibit 760.

20 MR. UTZ: We have an objection.

21 MS. SCHELLIN: The applicant has an objection.

22 MR. UTZ: Object.

23 CHAIRPERSON HOOD: Mr. Utz?

24 MR. UTZ: Thank you, Chairman Hood. Jeff Utz on behalf
25 of the applicant. We did want to raise the issue that the

1 opponent's traffic consultant does not appear to be certified in
2 the District, based on his resume. And I'm not certain that
3 there has been the experience in District based on the projects
4 identified on the resume.

5 CHAIRPERSON HOOD: Okay. Thank you, Mr. Utz.

6 MR. DONOHUE: When the time comes, he's worked under
7 --

8 CHAIRPERSON HOOD: Mr. Donohue? Go right ahead,
9 Mr. Donohue.

10 MR. DONOHUE: He's worked under the supervision of Joe
11 Mara, who the Commission knows well. He's got over 14 years'
12 experience in preparing reports and testimony. He's got an
13 undergraduate degree and a graduate degree in Transportation
14 Planning, and he's had extensive experience throughout the
15 metropolitan area including in the District of Columbia.

16 CHAIRPERSON HOOD: So Mr. Donohue, let me just ask
17 this. Is he licensed anywhere, even if it's not in the District?

18 MR. DONOHUE: He's licensed in Virginia, in Maryland
19 and elsewhere.

20 CHAIRPERSON HOOD: Okay. So colleagues --

21 And thank you, Mr. Utz and Mr. Donohue.

22 I think, colleagues, we've had this issue before with
23 a gentleman who actually was licensed in New York and not in the
24 District. We've discussed this previously. I don't know if we
25 want to continue our same format. I recommend that we do. The

1 party -- and I actually thought it was Joe Mara myself, but I
2 guess I got that kind of crossed. But either way, I think, as
3 Mr. Donohue said, this is the party in opposition. Mr. Mara is
4 overseeing this. So I don't really have any objections, but let
5 me hear from others.

6 Any objections from anyone?

7 COMMISSIONER MAY: No, I don't have any objection. I
8 mean, this is -- the fact that he doesn't -- he's not
9 registered/certified in the District, I don't think is really
10 consequential. It's the breadth of experience that he already
11 has. He's got 14 years, and he's done a lot of different
12 projects, so I think that's certainly fine.

13 CHAIRPERSON HOOD: Mr. -- Commissioner Imamura?

14 COMMISSIONER IMAMURA: I'm in agreement with you,
15 Mr. Chairman, and Commissioner May.

16 CHAIRPERSON HOOD: Okay. And Vice Chair Miller?

17 VICE CHAIR MILLER: I have nothing to add. Thank you.

18 CHAIRPERSON HOOD: So Ms. Schellin, I'm going to need
19 you to help me remember that we have given him party status. I'm
20 sure we all will remember, if not, Mr. Donohue will remind me.

21 MS. SCHELLIN: Yes.

22 CHAIRPERSON HOOD: Okay.

23 MS. SCHELLIN: One tiny little one.

24 CHAIRPERSON HOOD: Mr. Utz, (indiscernible).

25 MS. SCHELLIN: I'm sorry.

1 CHAIRPERSON HOOD: Let me go back to Mr. -- let me see
2 what Mr. Utz -- Mr. Utz?

3 MS. SCHELLIN: Oh, all right.

4 MR. UTZ: Sorry. Thank you. We do have one other
5 expert, Will Zeid, from Gorove Slade, in addition to Erwin Andres.

6 MS. SCHELLIN: Oh, I didn't see that one on my list.
7 What was the name?

8 MR. DONOHUE: It's Will Zeid. I'm working on --

9 MS. SCHELLIN: William Zeid. He was just approved as
10 an expert, so --

11 MR. DONOHUE: Yeah.

12 MS. SCHELLIN: -- he's previously been approved, if the
13 Commission would accept him in this case.

14 CHAIRPERSON HOOD: Okay. Yeah, well, I think we just
15 did that last week or the week before.

16 MS. SCHELLIN: Yes.

17 CHAIRPERSON HOOD: Any objections?

18 (No audible response.)

19 Okay, so no objections.

20 So we have all our experts out of the way, correct?

21 MS. SCHELLIN: Yes.

22 CHAIRPERSON HOOD: Okay. Thank you both. Thank you
23 both.

24 MS. SCHELLIN: Okay. One --

25 CHAIRPERSON HOOD: Okay. Ms. Schellin?

1 MS. SCHELLIN: One tiny other preliminary matter. The
2 Office of Planning report came in a couple days late, and we'd
3 just ask the Commission to accept the late filing and that -- of
4 their report.

5 CHAIRPERSON HOOD: Okay. Any objections?

6 (No audible response.)

7 CHAIRPERSON HOOD: We will accept it. Anything else,
8 Ms. Schellin?

9 MS. SCHELLIN: That's it.

10 CHAIRPERSON HOOD: Okay. We're ready to get started.
11 I want to thank everyone, because I had allotted 45 minutes to
12 go through this process, and we've done it in 26 --

13 MS. SCHELLIN: Yes.

14 CHAIRPERSON HOOD: -- with my announcements, so thank
15 you all.

16 MS. SCHELLIN: Yes. The applicant is asking for 60
17 minutes.

18 CHAIRPERSON HOOD: Okay.

19 MS. SCHELLIN: Ulysses Campbell is here for the ANC 4C;
20 Mr. Mordfin, Ms. Lawson, Ms. Steingasser for the Office of
21 Planning; and for DDOT, it will be -- I've lost her name, but
22 she -- Emma Blondin is here for DDOT.

23 CHAIRPERSON HOOD: Okay, great. Okay. Well, I will,
24 in that case, unless my colleagues have anything else, Ms.
25 Schellin, do you have anything else?

1 (No audible response.)

2 We'll turn it over to Mr. Utz. You may begin.

3 MR. UTZ: Okay. Thank you so much, Chairman.

4 Thank you, everyone.

5 Mr. Young, can we please pull up our presentation? All
6 right. Thank you.

7 Okay. So I'll go ahead and jump right in since I know
8 we have a full docket.

9 Good afternoon or almost good evening, Commissioners.
10 I'm Jeff Utz with Goulston and Storrs, land use counsel on behalf
11 of Dance Loft Ventures, LLC, the applicant, in Case No. 21-18.
12 We greatly appreciate the opportunity to present this PUD and Map
13 Amendment application to you today.

14 Next slide, please.

15 We recognize that there's a lot of ground to cover in
16 today's hearing, so I'll start with a quick roadmap of our
17 presentation this afternoon and then hand it over. We will begin
18 with a more detailed introduction to the team and the project,
19 and then we'll hear from the architect and then the transportation
20 expert. Finally, we'll wrap up with a discussion of the relevant
21 PUD standards.

22 Just generally, this is a project that fits with the
23 planning guidance and is, frankly, a project to celebrate. This
24 is exactly the type of project that the Commission likes to see
25 from the development community, with levels of affordability that

1 are rarely attained, particularly on a project with a substantial
2 arts and sustainability component.

3 We also heard you and agree that community engagement
4 is key. That has been the goal of the applicant ever since before
5 they purchased the site more than a year ago, and we hope to show
6 you that tonight. That being said, we know there's a lot of
7 interest in this project. There are a lot of stakeholders that
8 we've been dealing with for over a year now, and we're happy to
9 continue to engage them all.

10 With me today are Diana Movius of Dance Loft,
11 Mark James, and Chris VanArsdale of Heleos, all three on behalf
12 of the applicant. Sean Pichon of PGN Architects, Will Zeid of
13 Gorove Slade Associates and James Gapinski of AMT Engineering,
14 the project civil engineer. With that, I'll turn it over to
15 Diana, Mark, and Chris.

16 Next slide, please.

17 MS. MOVIUS: All right. Thank you. I'm Diana Movius.
18 I'm founder and director of Dance Loft on 14 and of our parent
19 organization, Moveius Contemporary Ballet. Moveius is a
20 professional ballet company founded in 2012, and Dance Loft is
21 our flagship arts facility, serving the entire D.C. metro area.

22 When I learned our long-time landlord planned to sell
23 the building, I was worried, as dance organizations that lose
24 their studio space typically do not survive. I immediately began
25 thinking creatively about how to purchase the building in

1 partnership with a mission-oriented developer, where on such a
2 large lot, we could build something truly great. After
3 interviewing various firms, I found a like-minded partner at
4 Heleos.

5 It's important to recognize that this partnership was
6 initiated by ourselves as a nonprofit arts organization, a
7 501(c)3 public charity, and as first of its kind model for art
8 space and affordable housing in D.C., we as Dance Loft own
9 51 percent of the current property and will wholly own our new
10 performing arts center in the new building.

11 Over to you, Chris.

12 MR. VANARSDALE: All right. Good afternoon,
13 Commissioners. My name is Chris VanArsdale. I am managing
14 partner of Heleos. My partner and I, Mark James, are the company
15 principals. Heleos is a mission-oriented, affordable housing
16 developer with a focus on sustainability. All of our current
17 projects have a subsidized, affordable housing component and
18 typically involve joint venture partnerships with supportive
19 housing or arts organizations, and all have ambitious
20 sustainability and renewable energy goals, often with net zero
21 energy targets. We are extremely excited to be a part of this
22 truly exceptional and transformative project along with Moveius.
23 And I guess I should turn it over to Mark James.

24 MR. JAMES: All right. Thank you, Chris.

25 Everyone, good afternoon. First and foremost, to

1 Commissioners and to the guests who are here with us and both
2 those who are here as proponents or opponents of the project, we
3 send you a greeting.

4 My name is Mark James. I am a principal with Heleos,
5 LLC, and I'm a native Washingtonian. I'm one of those guys who
6 has seen our city go through an incredible amount of change over
7 my lifespan, and those changes have been both good and in some
8 cases difficult to swallow.

9 This is one of those projects that when Chris and I
10 joined together to create Heleos, we said we wanted to be
11 developers who are really going to be those types of developers
12 who cared about all people. We wanted to create housing for all
13 people, regardless of their income and regardless of which ward
14 or neighborhood they were in, that we wanted to see a diverse
15 city. And so, Heleos has been about the task of doing that.

16 I think you're going to find that as we go through the
17 project, you're going to see many of the things that we have set
18 out to do, are going to be achieving the goals and aspirations
19 of the Comp Plan and of the Small Area Plan. And we want to take
20 some time to kind of go through those, and so, we'll appreciate
21 indulge -- that you indulge us with your patience, and that,
22 hopefully, we can share as we go.

23 You can advance the slide, please.

24 Just by way of a quick background. Most everyone knows
25 where the property is, but, you know, we're in a area that we -

1 - I understand that has a lot of characteristics to it. As we
2 look at being right along the 14th Street corridor, the busy 14th
3 Street corridor, we recognize that we are in an area that has a
4 lot of first floor commercial space on our block. We are
5 surrounded by both residences and other small and mid-sized
6 commercial, in some cases. And we are in an area where, as we
7 look at bringing in mixed-income, affordable housing, that we
8 recognize that it need -- it needed to fit into the goals of the
9 Small Area Plan and the Comp Plan. So when we set out to do the
10 project, we set out to look at what those objectives were and to
11 integrate those into the project. I want to applaud our team,
12 because they've done a magnificent job in doing that. And I also
13 want to applaud those community members who've really been a part
14 of a very constructive engagement with all.

15 If you'd advance, please.

16 So just by way of a quick background, Diana explained
17 the Dance Loft. I wanted to take a moment and dive into that
18 just for a few seconds, because the Dance Loft has been an
19 incredible partner for us. What they have done is set about the
20 task of not only wanting to preserve the arts and not only
21 preserve what they do, and they do that very well, but to also
22 make housing that could also benefit artists. We do not want to
23 be in a city where we go to visit and see the arts but never get
24 a chance to meet the artists, because they can't afford to live
25 here. And one of the things we wanted to do in a project like

1 this is we wanted to create 101 housing units where we could do
2 mixed-income, affordable, there would be 67 of those units. The
3 remainder of those other than the 67 would be market rate. Very,
4 very difficult to find, very rare is that we've built in 24,
5 three-bedroom units into our project.

6 For those of you that have been following the needs of
7 affordable housing in our city, it is very difficult to come
8 across a three-bedroom unit, even if it was market rate. And if
9 it is affordable, it is near impossible. The city has set about
10 a task of wanting to create housing for families who are low
11 income, and we have done a great job of really pushing that to
12 make that a part of our project. We're -- you're going to hear
13 us talk about superior design, both from a green and
14 sustainability standpoint, but also in terms of our use of the
15 site and being able to create the amenities and services that so
16 many others have said to us they want to see here. You're going
17 to hear us discuss the efficient land use of this project, so
18 that we can maximize the square footage without being too large.
19 And I know you'll hear others say that it is too large. You're
20 going to hear us talk about why it isn't. You're going to hear
21 us talk about why it fits into the overall context of not just
22 the neighborhood, but the goals for the city as a whole.

23 This is a project that, as we look at the retail uses,
24 as we look at a very large and respectable CBE and First Source
25 agreement that we certainly will be doing, as is required in all

1 affordable housing projects, we wanted to emphasize that as we
2 looked at this deal, this first floor commercial retail space,
3 this ability to attain and retain the Dance Loft space, this
4 ability to provide mixed-income housing, and this ability to
5 create spaces that are well-use, well-designed, you're going to
6 find all of those front and center on the project.

7 We are going to achieve Enterprise Green Communities
8 Plus criteria on the project. And we are also seeking to hit a
9 net zero energy performance on this building. Chris and I are
10 currently doing another net zero energy building, so this would
11 be one of three that we're looking to do as a company here in
12 the District.

13 Next slide, please.

14 So just a deeper dive for a moment on the affordability.
15 It is critical that for affordable housing developments that we
16 really take time to look at having a equal mix of MFI or area
17 median incomes, others would call it. So that 22 units,
18 representing 30 percent of our total are for, I'm sorry, 22 of
19 the units represent people at 30 percent of MFI. Another 23
20 units are for persons at 50 percent of MFI, which is median family
21 income, and another 22 units at -- for persons at 60 percent of
22 MFI. And again, as I said earlier, the remaining getting us up
23 to 101, are market rate.

24 I need to emphasize this. This is a very important
25 task for us that we want to create housing for persons at all

1 income levels, not just higher, not just upper, not just working
2 class, but also those at 30 percent and 50 percent of MFI, which
3 is so important. I want to emphasize that our focus on these
4 larger three-bedroom units is so critical, because of the lack
5 of three-bedroom units for affordable housing in the District.
6 This will allow families who are in desperate need of affordable
7 rent to stay in the city that they love. And we want to make
8 sure that we also point out that out of those 24 three-bedroom
9 units, 16 of those are affordable units themselves.

10 Next slide, please.

11 So affordable housing, plain and simple, it requires
12 density. I wish I could say that that was not the world we live
13 in or the city we live in. But in order to really compete well
14 for very limited and competitive resources, affordable housing
15 has become a process where developers are having to consider
16 density as a way of creating a reasonable development project.

17 If you go to the next slide.

18 So as we look at the density issue, DHCD in their
19 evaluation criteria, they prioritized maximizing density. One
20 of the reasons we want to do that is that there are tax dollars
21 involved in creating affordable housing. This means that we want
22 to create the best returns we can for the city's hard-earned tax
23 dollars that are spent to create such affordable housing. In the
24 process of having a competitive application, knowing that there
25 are many developers, all competing for the same dollars, it means

1 that we want to make sure we can show to the city that our project
2 has an efficient use of those resources that are committed to the
3 project. Also, the density issue, just in terms of the Dance
4 Loft, you know, as we look at keeping the Dance Loft there at
5 the site, keeping the Dance Loft there and doing what it does,
6 it means that we want to be able to increase density in order to
7 allow them to establish the square footage, the space, and the
8 performances that they have been doing for some time.

9 Affordable housing is a critical need in the District.
10 I don't need to keep explaining it, but I think you all know, it
11 certainly means that you have to be creative in how you do that,
12 and that because it is a competitive process, we have to pay
13 attention to these details. I have already mentioned the Small
14 Area Plan and the Comp Plan. They support our additional density
15 at the site. We are going to dive into that in a moment. And
16 the construction costs, they simply do not scale linearly.

17 And if you go to the next slide, I'll talk about that
18 in just a second. Thank you.

19 So you may hear tonight some that will say, well, why
20 is it that you can't just build higher or do less density? Well,
21 one of the things that we have been talking really for over a
22 year now in our community meetings, we have been talking about
23 the fact that in order for us to be able to provide affordable
24 housing, it is important to know that as we scale down, that
25 there are still fixed costs in any deal, and that the more we

1 scale down, the less likely we are to be able to build at a more
2 reasonable square footage. For those of you that have been
3 following construction cost, it has gotten ridiculous. We are
4 hitting 20 and 25 percent cost increases in some areas and even
5 10 and 15 percent increases just over the last year.

6 So as we look at the cost of increasing in construction,
7 and as we look at the idea of being able to just squeeze fewer
8 units into the project, it means that our cost per square foot
9 continue to go up. And this chart that you see here emphasizes
10 that. I wanted to have you pay attention to right there in the
11 center, the DHCD maximum. So as of right now for this most recent
12 funding round, DHCD projects that are five stories or less have
13 a maximum cost per square foot of \$343 per square foot. If we
14 brought this project down to 79 units or even 57, as some have
15 asked, we wanted to show you where our cost per square foot would
16 be, taking us well over, well over the floor for the threshold
17 of feasibility that DHCD requests.

18 Again, going down further, a taller building along 14th
19 Street. We have looked at this. We paid a lot of attention to
20 this. We wanted to see could that be done. But unfortunately,
21 going to anything higher than the five stories we have puts us
22 into a new cost category, and the type building we would have
23 would increase our cost substantially, even higher than the
24 numbers that you're showing here, in terms of cost per square
25 foot. So what we have done is tried to get density without going

1 too far, without getting -- going too high or creating too much
2 scale for the project.

3 Next slide, please.

4 So with this, I'm going to turn it over -- back over
5 to Diana.

6 Chris, is there anything you wanted to say before I did
7 that? I may have missed something.

8 MR. VANARSDALE: I think we're good. Thanks, Mark.

9 MR. JAMES: Thank you. Thanks, Diana.

10 MS. MOVIUS: Thank you, Mark. We'll start with some
11 highlights of real pictures of Dance Loft's spaces and
12 programing, which include performances, rehearsals, and community
13 events. I'll give you just a quick moment to look at these
14 pictures.

15 Next slide, please. Great.

16 Dance Loft has been part of the community for 10 years.
17 We leased space in 2013 and built out four made-for-dance
18 rehearsal studios and one black box theater. I founded Dance
19 Loft to help solve D.C.'s lack of rehearsal and performance space,
20 as well as expand access to the arts, catalyze new dance work,
21 and support the professional dance community. The need for Dance
22 Loft spaces has only increased since our founding. As noted in
23 our pre-hearing statement, D.C. has lost over a dozen dance
24 studios and performance spaces in the last decade.

25 Next slide, please.

1 Dance Loft is, therefore, one of only two remaining
2 community dance centers in D.C., serving primarily artists. Here
3 you'll note that we serve a wide range of artists. Dancers need
4 studio space to create dances, rehearse dances, train, and teach.
5 They need performance theaters to perform their work and to build
6 audiences. Studios and theaters, the physical spaces, are,
7 therefore, vital to a dances, excuse me, a dancer's ability to
8 earn an income, and Dance Loft is honored to provide these
9 services.

10 We serve 2500 and more artists per year with rehearsal
11 space. Our performance season, featuring local dance and theater
12 companies, serves 5,000 audience members per year. We house 35
13 plus minority-led arts businesses, and we offer pioneering and
14 relevant social justice dance programing and a variety of other
15 innovative programs.

16 Next slide, please.

17 Education is also an important role of Dance Loft. We
18 offer our onsite classes for adults and children and provide free
19 dance opportunities to 600 D.C. public school children each year.
20 This includes dance classes within the school days of nearby Ward
21 4 elementary schools in Spanish/English format, that are
22 absolutely free for the schools and free for participants.

23 Next slide, please.

24 Our partners are many, including the listed Ward 4
25 schools, national and regional government funders,

1 philanthropies, and more. We are a member of the Catalog for
2 Philanthropy, which does the careful vetting to list the area's
3 best small nonprofits.

4 Next slide, please.

5 The point I'd like to make is that Dance Loft is a
6 community totaling thousands of artists, students, and audience
7 members. As the Zoning Commission considers the definition of
8 community, I urge the Commission to hear their voices as community
9 members and as stakeholders directly affected by this PUD
10 application. Dance Loft's community of professional artists,
11 students, and troops will be dismantled and displaced if the PUD
12 is not approved, with loss of economic and artistic homes for
13 many. Because our facility is so vital to so many people, Dance
14 Loft's community has been heavily-engaged in the PUD outreach and
15 letter writing process, and even the floor plan design itself.

16 That's all the time that I have for today, but I'm
17 happy to take more questions and add more detail about the Dance
18 Loft, our programing, and our community during question and
19 answer.

20 Next slide, please.

21 Chris, I believe it's over to you now.

22 MR. VANARSDALE: Sorry. Just unmuting myself. Yeah,
23 just to conclude here, we believe that the preservation of arts
24 in our city or in any city really is critical to the vitality of
25 city life. And, you know, we would argue, indeed, that it is a

1 measure of civilization, is the degree to which it supports the
2 arts, as well as the degree to which it supports its most needy
3 members in basic necessities, like affordable housing. So this
4 proposed project really is a model, in that it does both, and
5 sustainably and in perpetuity.

6 Next slide.

7 So we want to talk briefly about the community
8 engagement process. First, we would observe that the outreach
9 process began even before the purchase of the building in
10 March 2021, and then -- subsequent to our purchase in April 2021
11 and has continued intensively for more than a year. We have
12 documented the dozens of public meetings in our filing, but note
13 also that the extent of the outreach was even broader than those
14 public meetings. And we hope that the ANC members here today
15 can testify as to the extent of the content and the tenor of
16 those meetings.

17 Beyond those formal meetings, we have also had an
18 open-door policy. We have accepted every single meeting
19 invitation without exception. We have responded to every written
20 request. We have published FAQ documents. We have invited
21 supporters and opponents to discuss any aspect of the project,
22 however many times desired, in any forum, over any medium. The
23 list of stakeholders who reached out is enormous. The group in
24 opposition is one of the many, many stakeholders that we have
25 received feedback from, and they have received privileged

1 attention in this process. Numerous SMD-level meetings focused
2 specifically on adjacent neighbor concerns.

3 The ANC itself, and I quote says, "The outreach has
4 been exhaustive, and the applicant has genuinely attempted to
5 balance multiple, and sometimes competing interests. The result,
6 over this lengthy period, is a truly exceptional project."

7 I have to just belabor this a little bit there. The
8 ANC felt so strongly about this, that they expressly rebuked
9 assertions to the contrary, and even found that those assertions
10 were quite astonishing, even recommending that the Zoning
11 Commission decline to return the project for further discussion
12 between these opponents and the applicant. These are strong
13 words, and we believe they represent a extremely exhaustive
14 community outreach process.

15 Next slide.

16 And the reason this is so is not just the number of
17 meetings, but also the extensive list of revisions made in
18 response to feedback from stakeholders. In our filing, there are
19 -- there is more than 20 significant project revisions, some at
20 great cost. So I won't list all of the project revisions here.
21 Those are in the filing. But some of the more important ones
22 are a doubling of the garage parking at great expense. We also
23 removed RPP and now exceed parking requirements by 12 spaces.
24 This was, in fact, painful and indeed controversial, even with
25 the ANC. We added three retail bays by reducing Dance Loft's

1 space. We removed roof amenity space at a neighbor request to
2 address privacy concerns. We reduced potential density by adding
3 generous setbacks of 61 to 75 feet and really the equivalent of
4 a six or seven-lane highway separating our building from row
5 homes. We made sure to design for a 360-degree facade so that
6 there is no back of building, that neighbor requests. We widened
7 the alley at 14th Street, essentially cannibalizing retail space
8 in order to ensure that all entry and egress could happen from
9 14th Street and eliminate any traffic load in the alley network.
10 We could go on and on, but would refer you to the filing for
11 other additional revisions that were made, as a result of this
12 extensive feedback.

13 Next slide. I think we can move on to the next slide
14 even.

15 So the upshot is that wherever and whenever possible,
16 we incorporated feedback. And with respect to the FOFS assertions
17 that we did not explore reducing density, this is simply not the
18 case. We explored the MU-7 envelope permitted under the moderate
19 density mixed-use category and reduced our proposal to the lower
20 end of MU-5A. We explored shifting significant density to 14th
21 Street, as Mark mentioned, and found that infeasible for a variety
22 of reasons, including Comprehensive Plan compatibility. We also
23 explored a three-storey version at the rear. That was marginally
24 feasible for us, but still apparently unacceptable to the
25 opposition group. We believe, as do the ANC, the Office of

1 Planning, the Office of the Attorney General, the councilmember
2 in Ward 4 and many, many others, that we have appropriately thread
3 the needle on this density question.

4 Next slide.

5 So as a result, the project has received, I would say,
6 overwhelming support. And I should say that this support is not
7 tepid. The ANC voted overwhelmingly to support. The Ward 4
8 councilmember published a passionate and deeply-personal support
9 letter. The Office of the Attorney General issued a detailed
10 support letter regarding the project's consistency with the Comp
11 Plan framework. The Office of Planning and every D.C. agency
12 that has reviewed the project supports it, the Uptown Main Street
13 Organization and the 14th Street Business Association, many
14 leaders in the local faith community, the Coalition for Smarter
15 Growth, and on and on and on. There is even a grassroots group
16 of local neighbors that has submitted a Yes In My Backyard support
17 for the project. So -- and the support does not end there. There
18 are many supporters on the block and nearby, hundreds more in the
19 16th Street Heights neighborhood, and even hundreds more in Ward
20 4. I think I should hand it over to Jeff.

21 MR. UTZ: All right. Thank you, Chris.

22 Next slide, please. Thank you.

23 So we just wanted to quickly mention the agency
24 involvement on this project, although it has been referenced a
25 few times already. We really appreciate the degree of agency

1 review here and the time that each has spent on the project with
2 us. Regarding the first item, the Office of Planning report
3 specifically, and they will, obviously, speak, but we just want
4 to note that there are no recommended changes or conditions in
5 the report, and it concludes with a note of support and
6 consistency with the Comp Plan.

7 Regarding the second item, the DDOT report, we wanted
8 to note that RPP has been removed and that no parking relief is
9 needed, mooted that part -- portion of the report and then that
10 the applicant will complete the crosswalk upgrades that are noted
11 in the DDOT report. And Will can describe that in a little bit
12 more detail.

13 Regarding the third bullet. The third main bullet,
14 DOVD, the report noted the project's ambitious sustainability
15 goals and encouraged the applicant to perform lifecycle analysis
16 and to creatively investigate construction and demolition waste.
17 PGN can speak to these components a little bit more, but the
18 applicant is able to incorporate these concepts as well.

19 Regarding the last bullet, the fourth bullet regarding
20 fire and emergency rescue medical services, FEMS had no objection
21 to the application and requested that the applicant confirm fire
22 code compliance, which, again, PGN will note as part of their
23 presentation as well. So with that, I would like to actually
24 turn it over to Sean to walk through the design.

25 Next slide, please.

1 MR. PICHON: Sorry about that. Good afternoon,
2 Commissioners. My name is Sean Pichon. I'm a partner with PGN
3 Architects, and I'm going to walk you through the design approach,
4 which started with first analyzing the site and the surrounding
5 context, reviewing the city's planning objectives, before
6 concluding with a design proposal, which you'll see today.

7 The project is located along a commercial corridor
8 mid-block between Buchanan and Crittenden, and directly across
9 from the WMATA bus depot. The property fronts 14th Street and
10 extends back into the alley.

11 Next slide, please.

12 The block is characterized by a mix of one- to
13 three-storey buildings, commercial buildings.

14 Next slide.

15 The not the right. Worked that (indiscernible).
16 The -- well, we'll get to the topographic things. But the block
17 is characterized by one- and two-storey building -- one- and
18 three-storey buildings. There is an extensive alley network with
19 multiple points of access from the surrounding streets. The two
20 and a half storey row homes lined adjacent streets, and the rear
21 yards access this alley network. There is a significant
22 topographical change across the block, and these homes climb the
23 grade as they go from 14th to 15th Street. On our side alone,
24 there is nearly 18 feet of grade change from 14th Street to the
25 rear, which was factored into our design approach.

1 Next slide, please.

2 Fourteenth Street, being a commercial corridor, has a
3 mix -- mixture of building typologies. Within several blocks of
4 our site, there are several instances of multifamily buildings,
5 as you can see here.

6 Next slide, please.

7 Also, in a broader context, there are multi-family
8 buildings on adjacent corridors at Georgia Avenue and 16th
9 Street, as well as across the city.

10 Next slide.

11 In all of these instances and circumstances, the
12 commercial corridors back up to lower density residential zones.
13 These are just a few representative buildings that exist within
14 that similar context.

15 Next slide, please. Did it switch? Next slide? See
16 if they switch.

17 MR. YOUNG: I think so.

18 Next slide. Oh, there we go.

19 These are just a couple more instances of commercial
20 corridors and residential buildings backing up to lower-density
21 residential zones, all of which have incorporated four- to five-
22 storey buildings adjacent to two- to two-and-a-half-storey row
23 homes.

24 Next slide, please.

25 MR. YOUNG: I clicked on it.

1 CHAIRPERSON HOOD: It may have froze. It may have
2 froze up on him.

3 MR. PICHON: Okay.

4 CHAIRPERSON HOOD: Just give it a minute. There we
5 go.

6 MR. PICHON: Okay.

7 CHAIRPERSON HOOD: It went over to three.

8 MR. PICHON: Let's see. Where am I? Our site currently
9 exists. There are other two-storey, 35-foot building that fronts
10 along 14th Street. We are proposing a five-storey building, 67
11 -- 66 foot 8 inches, tall along 14th Street, which is due to the
12 topography. It reduces to a four-storey building with 48 feet
13 at the rear. The ground floor, as it extends back into the site,
14 gets covered up by the rising grade. Beyond the residential bar
15 facing 14th Street, we have centered the massing, maximizing the
16 courts along the sides of the building at 16 foot, 5 inches, a
17 little better than a one to three ratio compared to the height.
18 In addition --

19 Go to the next slide, please.

20 This provides from, as Chris mentioned, from a 61- to
21 75-foot setback from the main rear walls of the surrounding row
22 houses. Maybe it froze again. But there are diagrams of the
23 setbacks from the rear of the houses to our main facade, once
24 that changes. There we go. You can see here they range from 61
25 feet to 75 feet of setback from our main facade to the rear houses

1 -- the rear of the surrounding houses.

2 Next slide. In context -- this is a view from 14th and
3 Buchanan, of the five-storey structure that fits within the
4 adjacent two- to three-storey existing buildings. From --

5 Next slide.

6 From 14th and Crittenden, the alley -- portions of the
7 alley facade and the party wall are visible above the existing
8 one-storey buildings.

9 Next slide.

10 And lastly, the last two views here are showing from
11 15th Street at the intersection of Buchanan, and the next one at
12 Crittenden, showing the existing row houses blocking the view of
13 the building beyond.

14 Can you go to the next slide?

15 And this is from 15th and Crittenden, similar blocking
16 of view of our proposed building.

17 Next slide.

18 So the building design utilizes a combination of bay
19 projections and balconies, clouded in a gray panel, extending
20 from a masonry facade above a series of large storefront bays.
21 These storefront bays are servicing retail -- the three retail
22 bays, residential entry, and dance studio entry, and an
23 interactive dance studio fronting along 14th Street.

24 Next slide.

25 This is a simulation of the interactive dance studio,

1 which will have the ability for an opening to engage the public
2 space from the interior to the exterior.

3 Next slide.

4 This is a view from the alley. Our alley facades are
5 matching in material, scale, and detail of the front facade and
6 -- making this for a complete four-sided building with no rear
7 side of the building.

8 Next slide.

9 So along 14th Street, we have the major arterials and
10 vehicular access that comes from 14th Street. The main access
11 will be through the alley, which has been increased from 10 feet
12 to 15 feet, from the 14th Street entry point, back to the entry
13 to the garage and service bay. Along 14th Street, there'll be
14 three retail bays, a combined residential and Dance Loft entry
15 point, and then the interactive dance studio that we were just
16 highlighting before.

17 Next slide.

18 On the ground floor, as we extend back into the site,
19 the dance studio space will occupy majority of the ground floor.
20 At the rear of the building, where we have approximately 18 feet
21 of grade change in the building as -- this floor is buried. We
22 have a -- we're incorporating the black box studio, or studio
23 space and a theater space, both which have less of a need for
24 natural light. We're also tucking in a garage area and loading
25 bay with -- housing up to 40 parking spaces and a bicycle room.

1 Next slide, please.

2 Because of the extensive height of the ground floor,
3 we're able to tuck in a mezzanine space that wraps around the
4 theater and dance studios and incorporate a mezzanine level of
5 supportive spaces for the dance studio and amenity spaces for the
6 residential space.

7 Next slide.

8 On the second floor begins our residential use. And,
9 as Mark mentioned, we're supplying a great deal of large bedroom
10 family units, three-bedroom units and two-bedroom units, along
11 with a mix of one and studio units.

12 Next slide.

13 This footprint continues up for a typical floor, up to
14 the fifth floor of the building.

15 Next slide.

16 The penthouse level sets back from the exterior walls,
17 another -- an additional 12 feet on all sides. We are housing a
18 number of additional residential units and a small amenity space
19 for the residents.

20 Next slide.

21 And as we discussed earlier, there is an aggressive
22 green strategy for this building, sustainable strategy for this
23 building. We are incorporating some innovative HVAC systems,
24 which allows us to free up our rooftop area for an extensive
25 solar array.

1 Next slide.

2 As mentioned before, our -- quickly, our penthouse will
3 be meeting all the penthouse regulations and setback requirements
4 as noted in the current zoning regulations. And these two slides
5 dictate the one-to-one setbacks and the setbacks and screening
6 of the mechanical units on the rooftop.

7 Next slide.

8 As far as the facade treatment goes, we are
9 incorporating a masonry design as a base. We have large
10 storefronts along 14th Street, which house the retail base, the
11 residential, and Dance Loft entry, and a dance studio. Above
12 that, we have a banding of brick bands, punch windows within the
13 brick facade and an extension of a panelized bay projection, all
14 topped with a corbeled brick cornice at the top. The penthouse
15 is also clad in a gray panel to allow for it to disappear in
16 the skyline.

17 Next slide, please.

18 And as seen here, that same treatment of brick
19 detailing; banding and corbelling and cornice line, continue
20 around the facade on all four sides.

21 Next slide.

22 At the alley widening, we are incorporating at and in
23 response to the OP suggestion, we are incorporating a buttressing
24 system there that transitions from the lower level to the upper
25 level, allowing for framing of the public art that we are

1 proposing along the alley frontage and back until we enter into
2 the garage space.

3 Next slide.

4 So these are detailed drawings that show up close what
5 that banding was or is. The buttressing of the lower level allows
6 for a framing of those panels of public art and then transitioning
7 into the brick detailing of the residential floors above.

8 Next slide. Next slide.

9 So here we're highlighting our landscaping plan, which
10 details all the main areas where we're providing greenery --
11 green space. So at the second floor, which is the space right
12 above the dance studio, there will be green space and outdoor
13 space for the units there. And then at the main penthouse level,
14 additional green space. And there will be improvements to the
15 public space, improvements to the tree boxes and paving of the
16 public sidewalk area.

17 Next slide.

18 These are examples of some of the native plant
19 materials that will be used along the green spaces throughout the
20 building.

21 Next slide.

22 And in this -- our sustainable strategies we are
23 looking to adhere to EGC Plus. The solar array at the rooftop,
24 which I mentioned. We are exploring a solar, I mean a sewer,
25 sorry, sewer heat recovery system for our HVAC and incorporating

1 the construction waste management plan with a goal of net zero.
2 And with our energy model, we will be incorporating a lifecycle
3 analysis as part of that energy modeling of the building.

4 Next slide.

5 In response to the comments that we've received,
6 changes in response to OP, is we have enhanced our cornice detail
7 at the top of the building. We've added an addition of arch
8 supports, as I mentioned, at the alley setback, and we've made
9 revisions to the operable storefront so that it does not protrude
10 into the public space. The responses to the FEMS, we have
11 included a fire hose distance diagram in the record. We have
12 also -- we will be adhering to a sprinkler system on NFPA 13 with
13 sprinkler and standpipes, and we've also included a fire truck
14 movement diagram. In terms of the construction, once we get a
15 GC on board, we will be adhering to a -- or proposing a
16 construction management plan, which will include no permanent
17 closures of the alley and with all the staging for the
18 construction work being from 14th Street. And with that, I'm
19 going to turn it over to William for discussion of the
20 transportation details.

21 Next slide.

22 MR. ZEID: Good afternoon. My name is William Zeid
23 with Gorove Slade. We prepared the CTR statement and traffic and
24 transportation-related assessments for the project.

25 Can we go to the next slide?

1 The site is located along the west side of 14th Street,
2 Northwest between Crittenden Street and Buchanan Street. It is
3 directly served by the 14th Street bus line, a priority corridor
4 network metro bus route, and has convenient access to the existing
5 14th Street bike lanes that run along the site frontage.
6 Vehicular parking will be provided in the garage, access from the
7 adjacent alleyway connecting to 14th Street, where 40 vehicular
8 parking spaces will be provided. Twenty-one of these spaces will
9 be provided automated lift spaces, as allowed by zoning.

10 The proposed parking will include one EV parking space
11 and seven EV ready spaces for a total of 20 percent. The garage
12 is intended to primarily serve residents as well as some Dance
13 Loft and retail employees. The garage will not be open to public
14 parking. Bike parking will be provided in excess of zoning
15 requirements with 47 long term and 10 short term spaces. The
16 bike room will include oversized cargo tandem spaces, as well as
17 power outlets for charging e-bikes and scooters.

18 Loading will be accommodated via a widened alley
19 connection from 14th Street for one 30-foot loading berth and one
20 20-foot delivery space will be provided within the garage, as
21 required by zoning. The loading configuration allows for head-
22 in and head-out maneuvers to and from the public road network.

23 The overall site trip generation is below DDOT's 25
24 peak hour peak direction trip threshold for vehicular analysis.
25 Therefore, DDOT guidelines did not require full vehicular

1 analysis for the project. However, a vehicular analysis was
2 prepared at the community's request and submitted to DDOT for
3 review. A scope for the required transportation statement was
4 also submitted to and approved by DDOT. DDOT's report is in
5 support of the proposed project.

6 Next slide, please.

7 As shown in the trip generation table, the project is
8 estimated to generate up to approximately 24 peak-hour,
9 peak-direction trips. While the theater space is not expected
10 to operate during the peak period on a typical weekday, we have
11 assigned trips to this use to provide a conservatively high
12 estimate. The theater's operations will generally occur on
13 Friday evenings after 7 p.m. and on the evenings on weekday --
14 weekends. While some of the dances -- dance studio's primary
15 activities also occur outside of the weekday commuter peak
16 periods, we have generated trips for this space that were included
17 in the assessment. Further trips currently generated by the
18 existing 24,000 square feet of commercial space onsite would be
19 removed with the redevelopment.

20 While DDOT did not require a vehicular traffic
21 analysis, one was prepared looking at the intersections adjacent
22 to the site along 14th Street, Northwest in order to respond to
23 some traffic concerns voiced by the community. The results of
24 these analyses indicate that the adjacent intersections currently
25 operate within acceptable thresholds and will continue to do so

1 with the proposed redevelopment. This assessment was submitted
2 to the DDOT who agreed with its findings.

3 Next slide, please.

4 Zoning requires 28 parking spaces for the proposed
5 project, which will be satisfied with the 40-space supply within
6 the garage. This parking requirement reflects a 50 percent
7 reduction from the baseline requirement of 55 parking spaces,
8 which the project is eligible for based on its location within a
9 quarter mile of the 14th Street and 16th Street priority corridor
10 Metro bus routes.

11 An additional factor that impacts the eligibility is
12 whether the site is located on a block face eligible for RPP,
13 residential parking permits. If RPP eligible, the project would
14 not qualify for the 50 percent reduction. At beginning of the
15 project, the 4600 block of 14th Street was listed as RPP eligible
16 on DDOT's RPP map. Thus, the project was previously seeking
17 relief from the zoning parking requirements. However, through
18 coordination with DDOT, this block was identified as a legacy RPP
19 block that would not otherwise currently meet criteria for RPP
20 eligibility. DDOT has since removed the block's RPP designation,
21 as of April 29th, and the project now qualifies for the 50 percent
22 parking reduction.

23 We did perform a parking occupancy study within the
24 surrounding area, as parking relief was previously being sought.
25 While the site now meets zoning parking requirements, DDOT did

1 review the parking occupancy study and concur with its findings
2 that parking is generally available in the area to the east of
3 the site.

4 Next slide, please.

5 The proposed parking garage will be accessed from the
6 adjacent alleyway, which will be widened from the existing 10
7 feet, with also utility pole obstructions coming from 14th
8 Street, to a new 15-foot alley section that widens out at the
9 garage that will provide efficient access for both vehicles and
10 loading vehicles to the garage and loading facilities. Truck
11 turning maneuvers have been prepared. The confirmed loading
12 vehicles will be able to enter the alley, head-in and exit,
13 head-out to and from 14th Street.

14 Next slide, please.

15 We recognize that the existing alleyway represents a
16 constrained condition with only approximately ten feet of width
17 available along the south side. To improve mobility within the
18 alley, the development includes chamfered corners at the west end
19 of the building and widening between 14th Street and the garage
20 entrance to provide a minimum of 15 feet of width. The plan also
21 includes proposed signage at the entrance from 14th Street,
22 restricting thru trucks and no trucks past the garage entrance
23 other than authorized vehicles, such as garbage trucks.

24 As requested by DDOT, the applicant, will follow up and
25 continue to coordinate with DDOT after the building opens to

1 identify whether additional measures are needed within the alley,
2 such as signage, striping, and potentially converting the alley
3 to one way only in either the eastbound or westbound directions,
4 if that's determined necessary by DDOT.

5 Next slide, please.

6 The project is proposing a robust TDM plan and loading
7 management plan. The improvements include expansion of the
8 nearby Capital Bikeshare station from 11 existing docks to 19
9 docks, as well as pedestrian and ADA improvements at the
10 Crittenden and 14th Street intersection that were requested by
11 DDOT.

12 Next slide, please.

13 DDOT is in support of the proposed project, and the
14 conditions from date are listed here, which include the TDM plan,
15 the loading management plan, and the additional follow up on
16 alley operations after the building opens. And from there, I'll
17 pass it off to Jeff.

18 MR. UTZ: All right. Thank you, Will.

19 Next slide, please. Thank you.

20 MR. UTZ: So we will conclude our presentation with a
21 discussion of the application's satisfaction of the PUD
22 standards. I know you all have this in front of you, and I know
23 that the record is also incredibly full. We've been erring on
24 the side of filing a lot along the lines of PUD standard
25 satisfaction. So I will move quickly through this. I know we're

1 running short on time. Hopefully, I can get a couple extra
2 minutes to make up for some of the hiccups that we've had so far.
3 But I did want to point to some of the more kind of important
4 elements of this PUD standard component.

5 I would say, in sum, there is no question that this
6 application achieves the three criteria for a PUD listed here.

7 Next slide, please.

8 And it satisfies the balancing test for a PUD. We can
9 walk through each of these items again, and I'll go as quickly
10 as possible. If we run over, I'm happy to answer any questions
11 that might exist on some of these and file more material as a
12 post-hearing submission.

13 Next slide, please.

14 Starting with the Comprehensive Plan. The Future Land
15 Use Map designation for the property was recently amended to
16 designate the property as mixed-use, moderate density.

17 Next slide, please. Thanks.

18 The designation allows for an FAR of up to 4.0 in
19 Section 22.7.11 of the Comp Plan, the Framework Element. This
20 project is at 3.79 FAR, so it's well within that range. The
21 designation also expressly identifies the requested MU-5 zone as
22 representative of moderate density. In fact, this designation
23 on the Future Land Use Map would support an MU-7 zone who are
24 much more density with the PUD, particularly with this level of
25 affordability. The project arguably withholds density versus

1 what the Council adopted, and this was intentional, as Mark was
2 mentioning before.

3 Next slide, please.

4 The project is also consistent with the Generalized
5 Policy Maps Main Street mixed-use designation, which calls for
6 residential over ground floor nonresidential uses.

7 Next slide, please. Thanks.

8 This site is also subject to a Small Area Plan, known
9 as the Central 14th Street Vision Plan. We've provided a lot of
10 analysis on the Small Area Plan for this site in the record, but
11 the picture in the Plan shown here are particularly illuminating.
12 This plan's image shows a four to five-storey building at this
13 site in a manner that's similar to the project. The Plan
14 identifies the site as "the best redevelopment potential in the
15 study area". And it notes that that's because it is located mid-
16 Block, has good visibility, has a deep footprint, and has access
17 points, multiple access points in the alley. The Plan called for
18 a grocery store here and residential above. So a meaningful
19 building has always been envisioned by the plan. There's no
20 doubt that the planning guidance is consistent with the building,
21 the size of the one proposed here.

22 Next slide, please. Thanks.

23 I'll mention the Housing Equity Report. Obviously, the
24 -- affordable housing has been a consistent top priority of the
25 Commission, and now that has been prioritized and enshrined in

1 the Comp Plan itself. The Mayor also set out goals by planning
2 area and identified Rock Creek East as having a meaningful
3 shortfall of affordable housing. This project is right in line
4 with the Housing Equity Report. The Rock Creek East needs housing
5 generally and affordable housing in particular. This was a major
6 theme of the councilmember's article that's submitted into the
7 record as Exhibit 755(a)(1).

8 Next slide, please. Thank you.

9 DDCD's Affordable Housing tracking maps show basically
10 no new affordable housing units in the neighborhood.

11 Next slide, please.

12 And then just to sum up the Comp Plan analysis, the
13 Council was very clear that the affordable housing is a major
14 civic priority. And we want to emphasize that the unit
15 affordability mix here, with 22 to 23 units at each of 30, 50
16 and 60 percent MFI, is a significant step in that direction.

17 Next slide, please. Getting to that Racial Equity
18 Analysis that the Chair was speaking about. We have, I believe,
19 we have the honor of being the first hearing after the publication
20 of the new Racial Equity Analysis Tool to actually use it during
21 a hearing. We found it very helpful in sharpening our thinking
22 and organizing our thoughts around this topic.

23 Next slide, please.

24 The first part of the tool sets out the project's
25 expected goals. Affordable housing is, obviously, a big one

1 here, given the vast disparities in the District, in terms of
2 housing opportunity and wealth creation and also quality of life
3 through housing affordability. The project's level of
4 three-bedroom units, approximately 24 in all, is another goal of
5 this zoning action. This is a project that will have
6 life-changing benefits to the 60-plus households and families
7 (indiscernible). There are thousands of families on the DHCD
8 waitlist right now who are not in a room tonight, and this project
9 has the opportunity to make a tremendous impact on their quality
10 of life.

11 Dance Loft factors into this discussion as well. It's
12 not just an arts organization. It's an arts organization with a
13 constituency that is representative of the diversity of Ward 4
14 as a whole.

15 Next slide, please.

16 We can draw into this analysis with more detail if
17 you'd like, but we did do a more detailed summary of the impacts
18 based on the criteria in the new tool. The one area that we
19 would identify as potentially having adverse impacts, the
20 applicant, our team, worked out a custom solution for each tenant,
21 each of the retail tenants that were noted earlier in the hearing.
22 Otherwise, on housing, arts, infrastructure, and access to
23 northwest D.C. amenities, among other consideration, this project
24 affirmatively advances racial equity in the District.

25 Next slide, please.

1 I wanted to pause for a moment to really hone in on the
2 housing piece again. It's hard not to conclude that the project
3 is less equitable and, frankly, moving away from consistency with
4 the Comp Plan and the ideas of equity, if it's reduced in size,
5 as it would be removing affordable housing.

6 Next slide, please. Thanks.

7 Going back to the overview of the PUD standards. I'll
8 move quickly through the second component shown here, the
9 potential project impacts.

10 Next slide, please.

11 We looked at a number of categories of possible impacts
12 of the project, as shown here, and these are all detailed in the
13 record, and we could walk through each.

14 Next slide, please.

15 We'll start with zoning. The proposed map amendment
16 here is for an MU-5A zone, adjacent MU-5A and RF-1 zones is a
17 condition that exists across the District. There are numerous
18 examples throughout the District. And we have included in this
19 presentation just a few illustrative examples where the MU-5A
20 intermixes with mid-block RF-1. The proposed condition is fairly
21 common in the District, and we believe it provides a compatible
22 urban context. The slide showing now depicts 14th Street farther
23 south between Girard and Euclid. You can see the MU-5 and RF-1.

24 Next slide, please.

25 Here's another example showing mid-block mixing of

1 those two same zones, Square 755. This is I Street between 3rd
2 and 4th Streets, Northeast.

3 Next slide, please. And then a final example for now,
4 showing Pennsylvania Avenue between 13th and 15th Streets,
5 Southeast. We do have other examples of this configuration of
6 zoning, but we also have examples of numerous built examples,
7 this context, both up and down 14th Street and in Ward 4 that we
8 can provide.

9 Next slide, please.

10 Sean already talked about the setbacks, but the main
11 idea is that the design mitigates potential impacts,
12 incorporating setbacks mentioned in the Small Area Plan. The
13 setbacks from the average rear wall of the surrounding homes to
14 the primary wall of the building are significant and well beyond
15 the typical distance that you find in similar circumstances.
16 They are approximately 61 to 62 feet, at a minimum, at the south,
17 which is wider than the width of the Buchanan Street right-of-
18 way itself.

19 Next slide, please. Thanks.

20 Sean also talked about height and context. The
21 topography in the surrounding homes themselves mitigate jarring
22 height impacts as is shown on the slide.

23 Next slide, please.

24 Similarly, this slide shows the elevations at the front
25 and the rear of the building and the related height comparisons.

1 Next slide, please.

2 Sean already showed these images, but we thought that
3 they were particularly helpful for the consideration of impact.
4 They show the view from the intersection of 15th and Buchanan,
5 looking northeast, and then the next slide shows 15th and
6 Crittenden. We also have images of similarly-sized existing
7 apartment buildings adjacent to similarly-sized two- and
8 three-storey row houses throughout D.C. And the conclusion is
9 the impacts, such that they exist are capable of being mitigated,
10 and they are mitigated by this project.

11 Next slide, please.

12 Adverse impacts. Analysis include reviewing views. We
13 believe that those are mitigated by the quality of the design.
14 There will be a taller building here where today it's a different
15 condition, but the quality of the view is mitigated, if not
16 enhanced, due to PGN's contextually-appropriate four-sided,
17 highly articulated design. The view of the project is certainly
18 better than what exists on this property now.

19 Next slide, please. Thanks.

20 Regarding shadow impacts, I know that was a question
21 that came up in setdown. Our team studied these further, and
22 the shadow impacts are very modest. This showing now is the
23 existing winter solstice shadow condition, showing the most
24 extreme shadows of the year. The existing row houses cast shadows
25 on their neighbors, and they've been doing so for quite a while.

1 Next slide, please.

2 To the extent that the project adds shadows, it's only
3 to the buildings to the north and east, and those shadows are no
4 -- really no more extreme than exist today. They're only for
5 the winter months. I want to be clear about that. These are
6 only created for the winter months. They're not during any other
7 months, which is a remarkable and uncommon situation, that speaks
8 to the suitability of this building for this site.

9 Next slide, please.

10 We also understand some of the concerns about privacy
11 impacts. The project will have balconies and will have windows.
12 We want to include those in the units for healthy living,
13 especially now after what we've all just gone through with the
14 pandemic. The existing row houses have windows and balconies too
15 that look into each other's yards. This is an incredibly common
16 condition, and we don't think it's unique to this PUD.

17 Next slide, please.

18 Traditional (phonetic) impacts. We already have this,
19 so I will just skip it in the interest of time.

20 Next slide, please. Thank you.

21 Construction period impacts, we've talked about this a
22 bit with Commissioner Campbell of the ANC --

23 CHAIRPERSON HOOD: Mr. Utz -- Mr. Utz, you're starting
24 to sound a little garbled. Maybe it might be the --

25 MR. UTZ: Yep, okay.

1 CHAIRPERSON HOOD: You got it? If not, just turn your
2 camera off. Maybe that'll clear it up. There you go.

3 MR. UTZ: Sure. Thank you. Appreciate that.

4 So on construction period impacts, we talked about
5 this, with Commissioner Campbell of the ANC 4C. This is an area
6 where we can have a dialogue with the neighbors and agree to a
7 construction managing -- management plan or monitoring plan. We
8 noted that there are components of this in their testimony, and
9 we're happy to talk about that more. It is a bit too early,
10 because there's not yet a GC to dive into specifics, but we could
11 certainly talk about broad parameters, and, I think, ameliorate
12 some of their concerns. There's also no basement here, so that
13 should help mitigate some of the concerns significantly, due to
14 the avoidance of excavation.

15 Next slide, please. Thank you.

16 Regarding the retail tenants, we reached, as we
17 mentioned, we reached a resolution with the tenants, and we're
18 happy to actually have a letter of support from the tenants in
19 the record. They do have a mitigation package that was also
20 worked out in concert with the councilmember's office and the
21 ANC, and we are we're happy with the place that we reached due
22 to that dialogue.

23 Next slide, please.

24 We do want to mention that there are, obviously, many
25 positive project impacts as well. Mitigating high housing prices

1 is probably a top positive impact. I've already talked about
2 most of these bullets, but we haven't really talked about the
3 full extent of the job creation impacts here. There's a real
4 opportunity for Dance Loft to continue to grow, and, frankly,
5 it's a jobs multiplier on 14th Street. And we think that's one
6 of the reasons that the business community is so excited about
7 this project.

8 Next slide, please.

9 Just the last of the three elements of the PUD review.
10 We've talked about this early -- earlier, obviously.

11 Next slide, please.

12 This is the same slide as before. I won't belabor all
13 of these, but this is a robust set of benefits and amenities. We
14 do appreciate the ANC and some of the input that we've gotten
15 from the community and neighbors and the agencies to make this
16 the collaborative benefits and amenities package that it is.

17 Next slide, please.

18 Just want to call attention again to the extent of the
19 affordable housing. It is really a laudable component of the
20 benefits and amenities package that is highly unusual.

21 Next slide, please.

22 Similarly, the Dance Loft is a primary prong of the
23 benefits and amenities package.

24 Next slide, please.

25 The final portion here, this just relates to the

1 balancing task set forth in the zoning regulations.

2 Next slide, please.

3 Since we're in a contested setting, we put this out for
4 your consideration. On the one side, we have the project's many
5 benefits. On the other is the mix of incentives, which in this
6 case is the map amendment and the portion of the density available
7 under that MU-5 map amendment. Also on that side, on the right,
8 side are the potential adverse effects. So it is -- this isn't
9 whether the project has zero adverse effects, it's whether those
10 impacts as mitigated are outweighed by the benefits. We strongly
11 believe, and we think the evidence shows, that the project's
12 extraordinary benefits and mitigation efforts outweigh and,
13 frankly, justify its impact. Many of these impacts would be the
14 same for a Matter-of-Right project.

15 And I'll just wrap up our presentation with the
16 observation that this -- this isn't really a terribly complicated
17 case. It's about the tradeoffs between the density necessary to
18 provide affordable housing and arts benefits, that the District
19 has stated it prioritizes, and what that density means for the
20 site and the neighbors and the city as a whole. We think that
21 this project is well-configured to fit the planning criteria for
22 the site and to advance equity, housing, arts, and sustainability
23 goals.

24 With that, thank you for letting us present now for
25 over an hour. We really appreciate your time. We're excited to

1 be here after a long road to get here, and we're happy to talk
2 about any of the items we presented and answer any questions you
3 might have. Thank you.

4 CHAIRPERSON HOOD: Thank you, Mr. Utz and team. I
5 think the presentation was well done. As we go -- as we plow
6 through this and working, especially with the party in
7 opposition. But I really appreciate your presentation.

8 But I do want to say this before I go to my colleague,
9 Commissioner May, to start us off, is that those hiccup moments
10 have gone over 60 minutes, those go to everyone, because -- I'll
11 just say it and leave it at that. I just want those to know that
12 I didn't give the applicant any preference to hiccup minutes, as
13 Mr. Utz had mentioned. I like that word. But those are going
14 to go to everyone, the ANC, and the other party. When I say
15 everyone, that's what I mean, the ANC and the other party. If
16 you need to go over, you can get as much time as the applicant
17 did. So I want to make sure I put that on the record.

18 Okay. So with that, Commissioner May, you have any
19 questions or comments?

20 COMMISSIONER MAY: Yeah, I do. And I'll try to be
21 fast. First of all, I do appreciate the presentation and the
22 extent of the documentation and the things that were -- the
23 exhibits that were put into the record to address some of the
24 concerns that we know had come up from the parties who are in
25 opposition to this project. So -- and I think walking through a

1 lot of those things sort of one by one was exceptionally helpful
2 for me. The -- so I'll go into a few questions.

3 Stacked parking. I mean, there -- there's a
4 traditional definition of stacked parking and then what seems to
5 be some sort of mechanism for stacking cars. Is that what's --
6 what I'm interpreting it as?

7 MR. PICHON: Yes, it's a mechanized parking system --

8 COMMISSIONER MAY: Okay.

9 MR. PICHON: -- that incorporates a mechanical
10 stacking.

11 COMMISSIONER MAY: Okay. And it's stacking -- I mean,
12 basically, it's like what you see in parking lots in some major
13 cities, like New York and Chicago. Is that where you have the
14 open lot --

15 MR. PICHON: Yes, that's --

16 COMMISSIONER MAY: So how --

17 MR. PICHON: Yes.

18 COMMISSIONER MAY : Do individual people operate them,
19 or do you have to have a garage operator?

20 MR. PICHON: No, they have a individually-operated
21 system that the person pulls up, hits a button, they pull in,
22 and then they get out -- they hit a button again, and it does
23 what it does. So there is a --

24 COMMISSIONER MAY: Wow. Okay.

25 MR. PICHON: Right. Yes, without a (sic) attendant.

1 COMMISSIONER MAY: Okay. And if my -- if it -- and I
2 think it's like three cars in a stack, right?

3 MR. PICHON: There are -- you can get a variety of
4 them, but two to three --

5 COMMISSIONER MAY: Okay.

6 MR. PICHON: -- and sometimes even four. It's just
7 --

8 COMMISSIONER MAY: The way you numbered them, it looks
9 like it was three per traditional space, so --

10 MR. PICHON: Yes, you can get up to -- and we were
11 considering a stack of three, but I think in -- where we settled
12 was a stack of two.

13 COMMISSIONER MAY: Oh, okay. So what if my car is on
14 Top, and yours is underneath, how do I get mine out?

15 MR. PICHON: Well, the way the system works, is you
16 have it -- when you're -- you have a code or a fob that's
17 particular to your space. So when you come, and you scan your
18 fob, it knows which space is yours, and it pulls your particular
19 car out, and it moves the other ones around. I -- that's as best
20 as I can explain it right now.

21 COMMISSIONER MAY: So we -- I mean I've seen some
22 presentations on automated parking systems, so I kind of know how
23 these things kind of work in that context, and -- but it would
24 -- it might actually be helpful to understand this, not so much
25 for this project, because, I mean, I think I trust that if you

1 say this is going to work, it's going to work. But just for our
2 education, it might be good to understand that, if you have some
3 kind of product information.

4 MR. PICHON: Yes, we do, and we can provide that. And
5 we actually have an installation, if anyone was interested, at a
6 project that's just recently completed, so.

7 COMMISSIONER MAY: Okay. Well, I mean, if you have
8 photographs of that that would be helpful. But --

9 MR. PICHON: Yes, we can provide that.

10 COMMISSIONER MAY: -- hopefully you can submit some
11 product following information. All right. The construction
12 type, is this a stick built on top of a concrete podium?

13 MR. PICHON: Correct.

14 COMMISSIONER MAY: Okay. So related to that, a couple
15 of questions. You have some projecting balconies that actually
16 looked fairly deep, at least four feet, maybe more. And so, how
17 is that working? And they look like they're steel. So are you
18 integrating steel into the wood framing, or am I -- what am I
19 seeing there?

20 MR. PICHON: No, the projected balconies will be
21 cantilevered wood --

22 COMMISSIONER MAY: Okay.

23 MR. PICHON: -- hoist. So it'll be incorporated into
24 the wood structure.

25 COMMISSIONER MAY: Okay. All right. I -- and it's

1 interesting to see that, because sometimes when that comes up,
2 and we suggest that there should be balconies, or there should
3 be more balconies, the feedback we get is, oh, you know, it's
4 really hard to detail that and keep it all waterproof and
5 everything else. But I'm assuming that you have done stuff like
6 this before and have had success with it.

7 MR. PICHON: Yes, we've done it multiple times on wood
8 structure.

9 COMMISSIONER MAY: Okay. Okay. Well, we'll make note
10 of that again for future questions about such things. The
11 performance space is all the way at the back of the building now.
12 I mean, I saw a version of the plans for the traffic study where
13 they were along the one side. But it's all the back now, right?
14 So it's -- you have to go down that long hallway to get to it?

15 MR. PICHON: Correct. We have the studios, the upfront
16 and the performance spaces at the rear.

17 COMMISSIONER MAY: Right. Okay. And so, you'll have
18 large -- when you have large gatherings of people, it's going to
19 be in those -- in that back area. How large are any of the
20 performance spaces in terms of the capacity?

21 MR. PICHON: We have a -- yeah. Sorry. I just -- I
22 didn't want to put a wrong number on record, but we're 150 to
23 200 seats.

24 COMMISSIONER MAY: Okay. And is that -- those
25 performance spaces, are they isolated in some way from the rest

1 of the construction? So I'm concerned about noise getting in and
2 noise getting out or vibrations getting in and vibrations getting
3 out, because those can be --

4 MR. PICHON: Yes. There will be a robust acoustical
5 analysis done of those spaces from the residential and vice versa.
6 The separation from the residential will be pretty robust. We
7 have a -- at least a close to a foot-and-a-half inch slab that
8 will be there, plus additional acoustics-mitigating --

9 COMMISSIONER MAY: Okay.

10 MR. PICHON: -- items and then on the walls, we will
11 be able to treat those with acoustical installation.

12 COMMISSIONER MAY: Okay. So it -- and it's not -- you're
13 not doing a full box within a box kind of thing that one might
14 do for a theater? It just --

15 MR. PICHON: No --

16 COMMISSIONER MAY: Theaters are constructed as a
17 concrete box within a concrete box.

18 MR. PICHON: No, this -- the black box will have a sort
19 of black -- a box within a box, but the theater itself will have
20 the framing. And then there'll be acoustical ceilings and stuff
21 dropped from that. So if that's what you're referring to, yes.
22 They're in separate --

23 COMMISSIONER MAY: Yeah. No, it's not what I'm
24 referring to.

25 MR. PICHON: Okay.

1 COMMISSIONER MAY: It's the box, but, I mean, it's --
2 it -- there are always issues with -- but there's always that
3 potential for issues of sound moving through the building itself,
4 particularly if you have residences above them. And if there's,
5 you know, I don't know what the range of performances will be.
6 I'll get to that in a second. But I don't want to create a, you
7 know, I would be concerned if you're automatically creating an
8 issue for the people who live directly above it or an issue for
9 the performances with, you know, cars or trucks traveling down
10 the alley right next to it. So having that isolation, the
11 acoustic isolation and the vibration isolation is critically
12 important.

13 MR. PICHON: Yeah. And so, just to answer. We will
14 be incorporating acoustic mitigations, and we'll have a full
15 acoustic consultant on board to study that and present factors
16 of mitigation throughout.

17 COMMISSIONER MAY: Okay. All right. So in some of the
18 submissions in the record, there have been -- there were
19 complaints about noise from events that were held there. And I
20 -- at first, I had a hard time sort of understanding, you know,
21 the frequency of rowdy dance performances or crowds from dance
22 performances being, you know, causing a ruckus in the
23 neighborhood. But the implication was that there were other
24 things that were happening. So you rent the hall out for
25 weddings, parties. It was suggested that there were raves and

1 that there were, you know, parties with illegal alcohol sales.
2 Can somebody address that?

3 MS. MOVIUS: Yeah, I'm happy to address that. So first,
4 there were never parties with illegal alcohol sales.

5 COMMISSIONER MAY: Okay.

6 MS. MOVIUS: Starting, I'd say in 2016, 2017, we did
7 have several, what could be called, dance parties which -- with
8 a temporary liquor license, and several of those did receive
9 noise complaints. DCRA sent an investigator. We worked with
10 DCRA to essentially not do that anymore. And those type of events
11 are not good for Dance Loft, because we have a lot of expensive
12 equipment and specialized dance flooring, et cetera. But those
13 were in the early years of our facility and definitely a lesson
14 learned.

15 COMMISSIONER MAY: Okay. All right. Well, that's
16 good.

17 MS. MOVIUS: If I may quickly just address your other
18 comment about theater noise. One of the reasons I'm really
19 excited about the location of the theater is that two of the four
20 walls are essentially dirt, because of the slope of the hill, so
21 it's largely underground. And one thing that's really essential
22 in any performing arts facility, as you've noted, is the
23 soundproofing, because that allows something to be happening in
24 adjacent rooms without, you know, destroying the performance or
25 the performance leaking into a rehearsal. So I just wanted to

1 underscore what Sean said about soundproofing and what you said
2 about soundproofing being vital.

3 COMMISSIONER MAY: Right. Yeah. Well, and I have
4 personal experience with this myself, having managed a
5 performance venue for several years and also having worked on the
6 designers of performance venues early in my career as an
7 architect. So I'm very conscious of that.

8 So let's just talk specifically about the facades for
9 a second. The cornice detail to me seemed a little bit odd. And
10 I understand it was the result of discussions with OP. And I'm
11 wondering if you could tell me a little bit more about how the
12 corbel cornice treatment came about. I didn't see, you know,
13 where you had started from, so I don't know how you wound up
14 exactly here. Is this drawing from specific neighborhood
15 precedents or something like that?

16 MR. PICHON: Yes. So we were looking to incorporate
17 some brick corbeling details at the top of the building. There's
18 a sort of a pediment in and out movement of the corbel that we
19 were looking to achieve there. Along with the banding, we have
20 a double height -- double row soldier course that creates a
21 banding that starts the corbel.

22 COMMISSIONER MAY: Yeah, I mean all you're doing at
23 this moment is describing what's in your drawings. I've seen the
24 drawings.

25 MR. PICHON: Yeah.

1 COMMISSIONER MAY: What are -- where, you know, what
2 is it -- what is that corbel cornice based on? Where did that -
3 - is that -- again, is there a precedent from the neighborhood
4 that OP, you know, pointed you at or that you drew from the
5 neighborhood, and then OP approved? Because it just -- it seems
6 slightly discordant with the rest of the building.

7 MR. PICHON: Well, it's basically drawn from the
8 existing context of the one-storey commercial buildings that
9 exist there. There -- there's a similar type of detailing on
10 the facades of those buildings that we wanted to recreate as part
11 of the new construction. So that's really where it originated,
12 and then OP asked us to enhance it some more. So that's sort of
13 the origination of it.

14 COMMISSIONER MAY: Well, that's the answer I'm looking
15 for. I'm not sure I would have gone that design direction, but
16 I'm not going to fuss about that. The -- what do you -- what
17 does anybody know about the buildings to the north side? And
18 the reason I'm asking that is that there's a large blank wall
19 along that one section that, I mean, it's detailed somewhat and
20 treated with EIFS. And I'm just wondering if, like, I mean, it's
21 being done that way because it's a temporary condition, I assume,
22 or it's done on the assumption that, you know, given what --
23 eventually there's -- there might be a building there that covers
24 that up. But does anybody know what the future holds for that
25 lot immediately to the north?

1 MR. PICHON: Well, I can speak that we have had some
2 conversations with the property owners to the north, and I know
3 our development partners have as well. They are intending to
4 pursue some form of development on that site. So our intention
5 there is understanding that that wall be eventually covered up.
6 But we wanted for the temporary purpose to have it match with
7 the banding and the existing brick --

8 COMMISSIONER MAY: Right.

9 MR. PICHON: -- the facades that we're proposing.

10 COMMISSIONER MAY: Okay. So what I don't see in the
11 detailing of that is how you turn the corner and make the change
12 from brick to EIFS, because there has to be -- I mean, the brick,
13 I assume, is going to wrap for a foot or two, something like
14 that.

15 MR. PICHON: Correct. Typically, we would turn it or
16 at least two to three feet back from either side before we start
17 the EIFS --

18 COMMISSIONER MAY: Okay.

19 MR. PICHON: -- treatment.

20 COMMISSIONER MAY: So I -- I'd kind of like to see the
21 detail for that or a closeup of how that happens. Not really a
22 detail. I don't need to know what -- how it works
23 constructionally (sic).

24 MR. PICHON: Sure.

25 COMMISSIONER MAY: The -- so let me ask you this. I

1 mean, I don't know what kind of venting there will be -- through
2 from the individual units, whether they're going to be, you know,
3 washer and -- or dryers and things like that, bathroom vents. Is
4 there -- I mean, this is a really primely-finished building. It
5 would be a shame if there were lots of holes in it, particularly
6 when you're dealing with the cementitious panel. Because I've
7 seen so many buildings where, you know, they just don't design
8 that stuff, and you've got this otherwise fairly attractive
9 building with a whole bunch of, you know --

10 MR. PICHON: Penetrations, yes.

11 COMMISSIONER MAY: -- holes and, you know, pockmarks
12 on the front it, so. Can you tell me about that?

13 MR. PICHON: Yeah. And I agree. That is a pet peeve
14 of mine as well.

15 COMMISSIONER MAY: Good.

16 MR. PICHON: We will be coordinating vent openings
17 throughout the facade, but within the brick, we will be using a
18 brick vent, which is, as you probably know, that is a flat vent
19 that blends in with the brick facade. It has a louvered grill
20 to it.

21 COMMISSIONER MAY: Okay.

22 MR. PICHON: The majority of the facade will be those.
23 At the panels systems, we can use a similar vent that just gives
24 a different color that matches and blends in with the panel.

25 COMMISSIONER MAY: Okay. So, again, if you have product

1 information on that, I mean I'm really curious about that, because
2 --

3 MR. PICHON: Sure.

4 COMMISSIONER MAY: -- it's not so much about this, it's
5 about understanding this more generally, because it comes up with
6 alarming frequency, just driving around the city and seeing what
7 these buildings look like. The existing -- no. Sorry.

8 On the cementitious panel, the bay, the projecting bays
9 and some of the side facades are the cementitious panel. That's
10 another area where, I mean, I'm not really looking for a response
11 on this, I'm just going to make statements about how that can be
12 done well and that can be done really poorly, and it winds up
13 looking like just really cheap garbage. And I'm hoping that you
14 are taking the care that you need to do to make it look as good
15 as it looks or that it can look.

16 And I assume that you're, you know, you've chosen the
17 cementitious panel, because that's the most affordable material.
18 It's clear that you invested a lot of money in the brick, but,
19 you know, they're -- metal usually works -- looks better. But I
20 understand that may be more expensive than the cementitious
21 panels, so you just got to make sure that it's detailed well.
22 Especially when you're doing this sort of reveals between the
23 panels, that can look really bad if you don't do it well.

24 MR. PICHON: Yeah. Understood. We --

25 COMMISSIONER MAY: Yeah.

1 MR. PICHON: -- with that.

2 COMMISSIONER MAY: Yeah. The last thing is what's the
3 height of the existing large portion of the building that's sort
4 of set back from the street? I assume that's the performance
5 hall now or something like that. What is that height of that?

6 MR. PICHON: It's approximately -- it's between 35 and
7 40 feet currently.

8 COMMISSIONER MAY: Okay. Not that big. All right. It
9 looks very imposing from the street level on 14th Street, but
10 when you look at it from the air, it doesn't look nearly as big.
11 And it's certainly going to be smaller than the building that
12 you're proposing to build.

13 All right. That's it for me, Mr. Chairman. Thank you
14 for your indulgence as I babbled on.

15 Thanks.

16 MR. PICHON: All right.

17 CHAIRPERSON HOOD: Thank you, Commissioner May.

18 Commissioner Imamura.

19 COMMISSIONER IMAMURA: Thank you, Mr. Chairman.

20 Thank you, Commissioner May, for covering much of the
21 architecture there. So I appreciate that.

22 Just one follow up on the architecture, Mr. Pichon.
23 Can you walk me through -- I understand the way you laid out sort
24 of the space program with the theater in the back. Can you walk
25 me through the exit -- access exit and exit discharge from the

1 theater? It looks like the exit discharge would be through the
2 parking garage or through a really elongated hallway. How does
3 that work?

4 MR. PICHON: The -- so from the theater, since it is
5 partially below grade there, there is a egress stair at the rear
6 that provides access up to the mezzanine level and out to the
7 alley.

8 COMMISSIONER IMAMURA: Okay.

9 MR. PICHON: The room -- the second means of egress
10 will be from the 14th Street entry. We will not be exiting
11 through the garage, no.

12 COMMISSIONER IMAMURA: Okay. I thought I saw an exit
13 access stairwell going up. It's just kind of unusual, but I'd
14 certainly understand sort of the topographic grade change there,
15 so.

16 In terms of the green roof, I'm delighted to see that.
17 I always like to see green roofs, although I didn't see any
18 maintenance access to the green roof. So is maintenance through
19 residential units, or how is that handled?

20 MR. PICHON: On the main penthouse level, the access
21 will be through the amenity space to the rooftop areas, and then
22 on the second floor level, there is the access from the stair
23 exiting. I believe that's where we have the access out to the
24 rooftop. But if not, we will make sure that that's provided.

25 COMMISSIONER IMAMURA: All right. I might have missed

1 that, but, yes, certainly something to look at. That's something
2 that's pretty common, and people overlook is access --
3 maintenance access to the green roof. So you definitely need
4 that at every location. So just be cognizant of that and aware
5 of it.

6 My only other concern is just about traffic through the
7 alleyway from 14th Street, if you all address that, just sort of
8 the congestion that may occur. I had similar questions as
9 Commissioner May about the lifts, so thank you for answering
10 that. Otherwise, in general, I thought that the way you all put
11 your presentation together and delivered it was with surgical
12 precision. So I thought -- I was rather impressed with that. I
13 think somebody said, "thread the needle for affordable housing".
14 You certainly described that.

15 What I will say is in your presentation, though, you
16 do list 24 three-bedroom units next to that 67 affordable. That's
17 a little misleading, because in one of your later slides it does
18 show and you did describe that of the 24, 16 are affordable. I
19 assume the other eight are at market rate. So I just want to
20 put that out on the record. So it's a little misleading, but as
21 you make other presentations or whatever to the community, just
22 I would button that up a bit and be a little more clear. I
23 certainly appreciate the deeper affordability. In about, you
24 know, two thirds of units there are than at 60 percent MFI, so I
25 appreciate that. And the net zero energy target; how confident

1 are we at achieving the net zero?

2 MR. JAMES: Yeah, this is Mark. I'll take that. Yeah,
3 we're pretty confident. You know, one of the things that we have
4 to do to achieve net zero is not only do we want to make sure
5 that we have a very tight envelope, we have a super-insulated
6 structure, but the types of systems that we would use allowing
7 us to maximize performance. So we've started -- already started
8 some of that energy modeling. It looks like we can get to
9 probably a 60- to 70-percent generation of energy onsite,
10 depending upon the systems. And, of course, to hit true net zero
11 means that we may also purchase additional energy from other
12 offsite locations that would go to our account as a credit. And
13 so, it looks like we can get there pretty well.

14 COMMISSIONER IMAMURA: All right. Well, thank you,
15 Mr. James. Then you said the keyword there about the building
16 envelope, so it sounds like you all are thinking about all six
17 sides of the building.

18 MR. JAMES: Absolutely. Yes.

19 COMMISSIONER IMAMURA: I don't think I have any other
20 further questions, Mr. Chairman. I yield back.

21 CHAIRPERSON HOOD: Okay. Thank you.

22 Vice-Chair Miller.

23 VICE CHAIR MILLER: Thank you, Mr. Chairman.

24 And thank you to the -- Mr. Utz and the applicant's
25 team, Mr. Pichon and Ms. James. -- Mr. James, Ms. Movius, all of

1 you, for this presentation this evening and for all of the work
2 on this very commendable project. All the responsiveness to the
3 ANC concerns, the -- to the Office of Planning, to the other
4 District agencies. The, you know, you have a -- one of your
5 exhibits -- your exhibits were very helpful. One of the exhibits,
6 525D, which was Summary of Changes to Project Per Neighborhood
7 and Agency Comments. That was very helpful. All of it. The
8 transportation changes, the use changes, the design changes, the
9 mitigation measures, setbacks, the exploration of shifting
10 density in response to the party in opposition, and your use of
11 the Zoning Commission's newly-published Racial Equity Analysis
12 Tool. I appreciate your walking us through that tool with your
13 responses to that. It's very -- all very helpful and very
14 commendable.

15 This is such an important project. The preservation
16 of community arts, dance, rehearsal, and performance space that's
17 geared toward the community to --

18 And, Ms. Movius, you said that this was one of only two
19 community arts dance rehearsal and performance spaces in the
20 District. Is that what you said -- did I hear that correctly?

21 MS. MOVIUS: Yes. And just to clarify a bit. So when
22 I say community-serving arts spaces, I'm talking about serving
23 professional artists. So Dance Loft on upper 14th Street and
24 Dance Place in Brooklands are the artists that I was referencing.
25 So not counted in that list are conservatories, of which D.C.

1 has, you know, several very high-quality conservatories, but
2 their focus is mostly on training teenagers and kind of the next
3 generation of professional dancers --

4 VICE CHAIR MILLER: Uh-huh.

5 MS. MOVIUS: -- whereas we focus, and so does Dance
6 Place, on supporting existing artists with rehearsal and
7 performance space and training for adults.

8 VICE CHAIR MILLER: Right. I think I may have sat on
9 a case with Dance Place. I don't know if it was here or the BZA,
10 but, yes, it's a very valuable public benefit for our -- for the
11 city as a whole. And I applaud you for all your work and your
12 work with the community and the elementary schools in the
13 neighborhood in Ward 4.

14 What's -- what do you do exactly, and how often with
15 the -- for, I assume, for free you're offering certain types of
16 teaching or exposure to dance to the elementary school students.
17 Can you just briefly elaborate on that, or maybe submit something
18 into the record that supplements what's already there?

19 MS. MOVIUS: Oh, sure. Yes, we can submit into the
20 record. But just quickly for -- to answer your question. So we
21 have about 200 elementary school students between the ages or the
22 grades of pre-K through third grade, and because there are schools
23 within walking distance of Dance Loft, including Latino Economic
24 Development Center, Powell Elementary and several others. And
25 so, these are free bilingual Spanish/English dance classes. So

1 it's kind of addressing a couple of competencies and language
2 access in addition to offering dance education. And then in
3 addition to those -- and those with the participating classrooms
4 is one lesson a week for the spring term, which we started in
5 February and running through school closure in June. And then
6 the other program we have with community services --

7 VICE CHAIR MILLER: And how many schools are you in
8 exactly?

9 MS. MOVIUS: Those are four. Four nearby Ward 4
10 elementary schools.

11 VICE CHAIR MILLER: Okay.

12 MS. MOVIUS: And then the other program we have, which
13 also is for those same schools are onsite dance performances.
14 And so, this serves about 400 students, where the classrooms come
15 onsite to see a professional dance production. And then we do
16 pre- and post-workshops with the classrooms to talk about the
17 themes of the dance, learn some dance moves, and, you know, try
18 to instill a love of performance. And for many of those students,
19 it's their first time being in a theater or seeing a dance
20 production.

21 VICE CHAIR MILLER: Well, thank you for your
22 partnership with those schools and for all you do in the
23 community. And thank you for your partnership with Heleos on
24 this project, defining a such a mission-oriented developer.

25 Let me ask Mr. James or somebody from Heleos. Do you

1 have -- I think you said you might have had two other projects
2 in D.C., or did I hear that wrong, or is this the only -- is this
3 the first project you're doing in D.C.?

4 MR. UTZ: Mark, you want to take that one?

5 MR. JAMES: Sure. Sure. Yes. So Heleos is involved
6 with Urban Green, which is a company we have which is doing a
7 Cycle House on Capitol Street, 1520-22 North Capitol, and that
8 is also going to be a net zero energy project, 9 percent tax
9 credit deal that we're expecting to get into construction later
10 this year. And we're also currently looking at -- Heleos is also
11 looking at a project that is more scattered. We don't know if
12 we'll be able to get right to net zero, but we try to get as
13 close as possible because of its scattered site orientation. So
14 we expect that to come to market next year, probably in 2023 by
15 the time we get through our due diligence.

16 Chris, am I missing any of them? I think those are the
17 two most recent.

18 MR. VANARSDALE: Those are the big ones. That project
19 constitutes actually four sites that have been aggregated. We'll
20 be doing a single LIHTC financing for all four. But the goal
21 there also is to get to a net zero energy result. We also have
22 another truly onsite net zero project right across the border in
23 Prince George's now on a four-acre site that -- so we're all in
24 with renewable energy on all the projects.

25 VICE CHAIR MILLER: Yes, the net zero and the LEED Gold

1 components of this project are also very commendable. You
2 mentioned the -- you're doing 67 out of 101 units as affordable
3 at -- I mean that amount of set aside of affordable, which is
4 two thirds, is, obviously, multiple, multiple times what the
5 minimum requirement of our inclusionary zoning affordable
6 housing. And so, just the amount of that housing is to be
7 commended, and the level of affordability -- the deeper level of
8 affordability than what's required. You have 22, I think, at 60
9 percent MFI and 23 at 50 percent MFI. And then you have 22 at
10 the 0 to 30 median family income, something we rarely see. And
11 the -- and then that the inclusionary zoning program, obviously,
12 which is a nonsubsidy program, other than the subsidy of the --
13 provided by the market rate units that are in the mix. But you
14 -- said you mentioned that you are seeking, I guess, you have -
15 - you're going to get -- so deeper levels of affordable housing,
16 obviously, require more than just inclusionary zoning, which
17 you're taking -- you're using -- you're taking -- using
18 opportunity -- financial opportunities too for this project. I
19 think, in addition -- is it just low-income housing, tax credits,
20 and is it Housing Production Trust Fund that you hope to tap into
21 as well, or is there other -- are there other programs that you
22 -- that will help make this project go -- evolve?

23 MR. JAMES: Yes, Commissioner, the -- yeah, we would
24 we have a mix. Like many projects today, you have to do so many
25 layers of financing to get it all to be affordable. But this

1 would be a -- we envision this as a 4 percent deal with tax exempt
2 bonds done with the D.C. Housing Finance Agency and including
3 Housing Production Trust Funds. So when you heard me mentioning
4 the competitive nature of it, it's that application for the
5 Housing Production Trust Fund, which is just so competitive, you
6 know, even without -- if this was just any other traditional
7 affordable housing, the likelihood of successes in getting those
8 funds is typically between 20 and 25 percent over the last year
9 or two, just because of how many people are competing for those
10 dollars. So if you want to create a project that is going to
11 achieve its goals and have any real chance of getting funding,
12 we try to maximize these opportunities in both sustainability,
13 affordability, and other amenities that we can provide to the
14 residents.

15 CHAIRPERSON HOOD: I think you're on mute, Vice Chair.
16 You're on mute.

17 VICE CHAIR MILLER: Oh, thank you. Thank you,
18 Mr. Chairman. Sorry about that.

19 The affordable units, the 67 out of 101 affordable
20 units, they will be affordable for the life of the project, the
21 -- in perpetuity?

22 MR. JAMES: In perpetuity, yes. Chris and I have made
23 a commitment that we want this to be a long-standing affordable
24 housing project. And so, it is our intention, when the
25 application time comes, to apply for the affordability component

1 to be in perpetuity for the site.

2 VICE CHAIR MILLER: Thank you. And that is one of the
3 -- I thought that was in one of your statements, but it's also
4 in -- listed as one of the 12 conditions in the ANC's overwhelming
5 support letter. They had 12 conditions.

6 MR. JAMES: That's correct, yeah.

7 VICE CHAIR MILLER: And I think nine of the -- well,
8 several of the 12 deal with the affordable housing component.
9 I'll come back to that. Several of them deal with the
10 construction issues. And you mentioned that you are going to
11 -- you intend to do a structure management agreement or a plan
12 with, I guess, the ANC, because they had three issues that -- in
13 their conditions on the last page of their resolution. What's
14 the status of the construction management plan? That wouldn't
15 necessarily be something we put in our -- in a zoning order,
16 because it's not enforceable by zoning. It's a permitting
17 process, DCRA issue and not a zoning issue, but it's something
18 we would reference in the order, if we had it in the record. Do
19 we -- are we going to get that in the record at some point?

20 MR. UTZ: So we're happy to put a form agreement into
21 the record. It is something we saw in the Friends of 14th Street
22 testimony. And some of the strands of the components of kind of
23 construction impacts that they've been concerned about have been
24 discussed over the past year or so, so we would be happy to set
25 of form out. We -- there are -- as you mentioned, there have

1 been similar concepts in prior approvals. We can take those and
2 utilize them here, customizing them for the site configuration
3 and the neighbors. And we would be happy to talk to the Friends
4 of 14th Street and/or the ANC about who would want to be a
5 counterparty to that.

6 VICE CHAIR MILLER: Okay. Thank you. I appreciate
7 your willingness to do that. And I think it would be helpful as
8 we move forward.

9 The -- so the ANC also had other conditions that
10 typically refer to the affordable housing components that are
11 part of your case, they just were wanting them to be actually
12 spelled out, I guess, in the order as conditions, which, I guess,
13 they would be, and we'll leave it to our, if we get to that point,
14 our counsel working with you to make sure that each of them are
15 there. But let me just read them to make sure that you are
16 agreeing to each of these ANC affordable housing conditions.

17 At least two-thirds of the residential units will be
18 designated affordable to households earning 30 percent, 50
19 percent, and 60 percent of the median family income. That's one.

20 The affordable units will be offered in perpetuity for
21 the life of the project. You just answered my previous question
22 that that is the case.

23 And at least 20 percent of the units in total will be
24 three-bedroom units. I didn't do the math, but I guess that --
25 I think you have. I think you meet that basic basically based

1 on the 24 units that are three bedrooms, 16 of which are
2 affordable. So you are agreeing to each of those conditions.

3 MR. UTZ: Yes. Yes, that's true.

4 MR. JAMES: Absolutely.

5 VICE CHAIR MILLER: And in other cases -- I don't know
6 if you're asking for flexibility on the total number of housing
7 units up or down in the end, in terms of a flexibility request.
8 I -- that may be somewhere in your statement. But I know the
9 Office of Planning in the past has recommended that, even if
10 there's a downward adjustment to the total number of units, that
11 the actual commitment that's being made at the time of the
12 hearing, which in the case has numbers and percentages, the 22,
13 23, 22 for the three different affordable -- deeply affordable
14 levels, that you would maintain that as a minimum and that, you
15 know, sure, if you go above the 101, you'll keep the same
16 percentage of affordability at each level. But you -- even if
17 you reduce the total number of units, you won't go below the
18 affordable that's being discussed here today. Can you make that
19 commitment today?

20 MR. VANARSDALE: Yeah, I would. I think that -- if I
21 understand correctly, you are gesturing at the idea that if the
22 total number of units is reduced, that proportionally we would
23 remain the same in terms of affordability, and that would be our
24 intention.

25 VICE CHAIR MILLER: Okay. I'll ask Office of Planning

1 if that's what they've done in the -- and we've done in the past,
2 or I'll talk with our counsel offline about that as well. I
3 don't -- I know it was the -- it was certainly the proportion.
4 I don't know if we actually did the numerical -- if we kept the
5 numerical amount there. So -- but it actually was a higher
6 percentage. It would be a higher percentage actually if you
7 reduced the total number, so I need to explore what we've done
8 in the past with our counsel and with Office of Planning on that
9 point.

10 MR. UTZ: Commissioner, do you want me to chime in?

11 VICE CHAIR MILLER: Yes, please.

12 MR. UTZ: So that is something that would be a bit of
13 a departure from prior applications of that 10 percent
14 flexibility element. That's part of the kind of flexibility
15 condition in the order, but it -- that is a component of the
16 OAG's report that's in the record as well. That's -- this is
17 associated with one of their comments and kind of suggested
18 condition updates. So I think it is something we can explore
19 more, and we're happy that to put some more parameters around
20 that in a post hearing submission. But it would be a bit of a
21 departure or enhancement, depending how you are looking at it,
22 from prior approvals.

23 VICE CHAIR MILLER: Okay. Well, I appreciate your
24 willingness to look at that and explore that as we go forward.

25 What -- was there a Comprehensive Plan Land Use Map

1 change in the most recent cycle for this site? It's my
2 understanding that there was and that the maker of that motion
3 may have had a -- this project in mind, actually. But can you
4 just elucidate that for me what the change in Comp Plan Land Use
5 Map is?

6 I know it's moderate density, mixed-use moderate
7 density, residential moderate density commercial now.

8 MR. UTZ: Yes.

9 VICE CHAIR MILLER: And I understand how it meets the
10 -- how this project meets the -- and the zoning meets -- the
11 zoning that's being proposed that M5A -- MU-5A would meet the
12 -- that Comp Plan map designation. But could you elucidate what
13 the change was, if any, in the most recent cycles?

14 MR. UTZ: Yeah. Sure. I'd be happy to answer that.
15 There was indeed a change to the Future Land Use Map at the site
16 recently. You know, this is -- that was just approved in August
17 of last year is actually when it became official. And that,
18 exactly as you describe, the change was to moderate density,
19 mixed-use moderate density residential, moderate density
20 commercial. The change was actually the result of the Small Area
21 Plan itself. The Small Area Plan started to form in about 2009
22 and then it went live, I believe, in 2012. And it actually set
23 out this site to be moderate, mixed use. So that had been pending
24 basically for the next Comprehensive Plan Future Land Use Map
25 Amendment wave to catch it. And so that actually occurred as

1 part of the cycle that we just went through. Prior to that, it
2 was low-density commercial.

3 VICE CHAIR MILLER: Prior to that it was low-density
4 commercial.

5 MR. UTZ: Yes.

6 VICE CHAIR MILLER: And it's now mixed-use moderate
7 density.

8 MR. UTZ: Right, as is the strip. So there are other
9 components within the Small Area Plan that are similarly altered
10 on the Future Land Use Map. So the segment that we just
11 described, the property to the north, actually was subjected to
12 the same, UpFLUMing is, I think, we're calling it, from low-
13 density to moderate density mixed-use as well.

14 VICE CHAIR MILLER: Okay. Thank you for that.

15 Mr. Chairman, I think that just about concludes my
16 questions at this time. This is just such a -- an important
17 contributing project to our -- that supports the -- that supports
18 so many policies, particularly the affordable housing policies
19 in the Comprehensive Plan. And I think the applicant has done a
20 great job of presenting how the public benefits of that and the
21 dance -- preservation of the dance -- community dance
22 organization in the city as well as other components, how they
23 outweigh any potential adverse impacts, and along with the
24 mitigating measures that have been -- and set -- including
25 setbacks and all the changes, all the changes that have been made

1 as a result of community and OP and Zoning Commission comments
2 at setdown. I just am very pleased that this project has come
3 forward and look forward, with an open mind, to hearing the
4 opposition and other concerns that others -- that some in the
5 neighborhood have strongly about this project. So I will keep
6 an open mind about that. But it just does seem like a -- such
7 an incredibly important project that I'm glad it's been brought
8 forward today. So thank you, Mr. Chairman. That's it. That's
9 it for now.

10 CHAIRPERSON HOOD: Okay. Thank you. I'm going to try
11 to go through my questions very quickly. So I would ask those
12 who want to respond if you could help me go through them quickly,
13 because I want to try to get as far as we can this evening,
14 especially hearing from the public and the -- and those who are
15 still having some major concerns in opposition. And most of
16 these first questions, I think, are going to go to Mr. James.
17 And I -- and let me just say I appreciate the presentation. A
18 lot of my questions have been answered. A lot of -- I still may
19 ask a few additional questions in response to the presentation.
20 But a lot of it was presented. I appreciate your answering a
21 lot of my -- outstanding questions that I had.

22 I will say that Dance Place was a PUD, a part of a PUD,
23 and it may have been a piece, Vice Chair Miller. I remember
24 Dance Place for sure. It was a PUD. And this kind of took me
25 back to some of that that we went through at that time.

1 Mr. James, I've got the answer about the target. So I
2 know we're working with the schools, and I know we're work with
3 artists. I got that. But let's talk about CBE and the First
4 Source. So forgive me if it's already in there. You can direct
5 me to where it is in the file, because I just want you to know
6 this file has -- I mean this case has 764 exhibits, and some of
7 the stuff that I read through, I forgot when I got to the end of
8 this -- end of it. So anyway, help me understand how the CBE
9 and First Source is working. And I'll tell you, I haven't dealt
10 with that in a while. My issue is, are we getting the pool and
11 the resources ready for when we need it? Because I know years
12 ago it was that we didn't have a pool. So kind of bring me up
13 to speed on where we are with that.

14 MR. JAMES: Thank you. I -- actually, I'm glad you
15 asked. It's something that's very important for us in all of
16 our projects. And if you're a native Washingtonian, you better
17 know what that means. Right? So that's -- that comes with the
18 territory. Yes.

19 So certainly on all of our deals, you know, we typically
20 want to be able to exceed what the minimum requirements are. We
21 typically are able to hit anywhere between 40 and even 45. And
22 we've gotten a couple projects at 55 percent CBE and First Source
23 agreement participation.

24 Now there's a process that I want to make sure everyone
25 is aware of, because when we go in and try to do these projects,

1 at the time that we get funded for tax credits and Housing
2 Production Trust Funds, we are still required by DHCD to submit
3 a CBE plan and First Source agreement plan at that time. And
4 even prior to getting a final approval, we try to sit down with
5 them to go over what some of the minimum requirements are. That
6 is a direction that DHCD leads. And so, we then -- once we have
7 selected a general contractor, at that point in time, they want
8 to meet with the general contractor in the room to make sure that
9 those CBE and First Source requirements are being adhered to not
10 just by the developer, but that our development team, in
11 particular, our general contractor, is aware of them and is
12 abiding by those rules.

13 So in this particular case, we don't set a final
14 percentage until we have selected the GC, and we know which subs
15 are out there to be able to, you know, fulfill the obligations
16 of the various contracts. But we would, at a minimum, achieve,
17 you know, those minimal requirements, which, if I remember
18 correctly, I always forget the number, but at least 30, 35
19 percent.

20 Jeff am I correct on that?

21 (No audible response.)

22 So that'll be a minimum. That's a floor for us. That's
23 not a goal, that's a floor. And so, the way we do that is that
24 when you work with the city and create that plan with your general
25 contractor, you can come back to the city and actually say to

1 them, who are the organizations that meet those CBE requirements
2 and how they are incorporated into our construction and
3 development plan? And that's not just on construction, that's
4 also on the professional services trying to incorporate at all
5 levels.

6 On the First Source side, for those that are, you know,
7 maybe new and are not as aware of it, we want to try to see if
8 we can go in and hire our general contractors, hiring persons who
9 are either from the neighborhood or in the region, in the city.
10 We again, I am not showing up at one of my family reunions not
11 hitting one of these. And, again, that is something that we take
12 very seriously. And I don't mean to say that in jest, because
13 it's serious for us. But I do want to emphasize the fact that
14 when we do these responses to the city, it's a well-thought-out
15 plan.

16 So we've tried to mention to everyone that we'll hit
17 the minimum goals, because, again, that's our floor, but the plan
18 doesn't get detailed until later in the process, once we meet
19 with DHCD, and the general contractor is on board. So we'll
20 certainly meet and above and beyond those minimum obligations.

21 CHAIRPERSON HOOD: Thank you for your response. And I
22 will, again, continue to encourage you and the DHCD under the
23 director of -- leadership of Mr. Hubbard. Let's start looking
24 at the pool now.

25 MR. JAMES: Absolutely.

1 CHAIRPERSON HOOD: Who we're going to need. Because
2 that's important. And I always like to hear we're looking at
3 D.C. residents and D.C. businesses, so I'll leave it at that.

4 I do want to commend this applicant -- you all for the
5 30 percent. Normally, I talk about 30 percent. You stole that
6 thunder, so I was sitting here thinking. I wrote it down. All
7 income levels, you know, a certain amount that you have at 30
8 percent. I normally push 30 percent. You all are already there
9 for the most part in some of your units. So I guess I may need
10 to drop that down to 20, but I appreciate the affordability
11 components of this project. And I also understand to get that
12 affordability, I believe, Mr. James, you mentioned in your
13 comments, is if we do more, if we scale down more, then we can
14 do less. And I get that loud and clear. And I think that's some
15 of -- I forgot who mentioned the offsets of some of the impacts
16 versus what are we trying to really achieve here? We're trying
17 to get affordable -- get families in homes and in units. It may
18 take a little shade away from us, but then there are some people
19 who -- and I understand the Friends of 14th Street, some people
20 who are going to be a little more impacted than others, and we
21 want to get there and go down there. And I always like a perfect
22 scenario, but I know there are adverse impacts, and we'll never
23 get a perfect scenario. We'll never get 100 percent liking
24 everything, but let's try to always get as close as possible.
25 And that's what I've always said, even in the setdown. Let's

1 get as close as possible.

2 I do want to talk about the RPP. And I know things
3 have changed up here from when I used to get bus tokens across
4 from the bus barn. I'm not going to say what year that was. But
5 I will tell you that -- help me understand RPP again. I've read
6 it, I looked at it, and I'm still trying to figure it out. And
7 I have my own opinions of how RPP works. I don't want to put
8 communities and neighbors on promised land either. So help me
9 understand how you interpret how that's going to be worked out.
10 How's that going to work?

11 MR. JAMES: Yeah, I'm actually going to kick that over
12 to Jeff, and certainly Chris, if he wants to chime in. They're
13 far better versed on it than I am.

14 CHAIRPERSON HOOD: Okay. Okay.

15 MR. UTZ: Sure. Thanks, Mark. Yeah, I'm happy to talk
16 about it. And I think we can loop Will into the discussion as
17 well. But in this case, the -- this particular segment of 14th
18 Street was actually RPP-eligible, which I think it was a little
19 unusual in that categorization. It kind of surprised some folks.
20 So over the past several months, this team worked with DDOT to
21 change that designation, to change the eligibility of this block
22 fronting on 14th Street and actually added back in some other
23 residences, not this property, but some adjacent residences to
24 the south, added them back in so they are still eligible. But
25 this property is now not eligible for the RPP parking, so

1 residents are not going to be able to use Buchanan and 14th Street
2 and some of those surrounding streets, really with the goal being
3 to focus on the kind of mode shift that the TDM plan is geared
4 towards.

5 The result of that RPP is a change in the parking
6 requirements. DDOT basically cuts them in half. We are right
7 on a bus corridor. Fourteenth Street is -- itself is a bus
8 corridor. But with the RPP designation, the parking regulations
9 don't allow the 50 percent kind of mass transit accessibility
10 reduction. So the change in that designation from RPP-eligible
11 to not, changed the parking requirement to be 28 spaces.

12 CHAIRPERSON HOOD: Okay. So Mr. Utz, I get the last
13 part of that. Let's talk -- let's go back to the first part of
14 RPP. So this facility now is taken off the rolls. How we're
15 going to do that? It's going to be the address? If somebody
16 goes down and apply for RPP, and they use that address, we will
17 -- it will be guaranteed that they will not be able to apply for
18 RPP.

19 MR. UTZ: Right. So this is an example where the system
20 will work. I know in the past, there's been concern about the
21 mechanism that would be used, because you can't have RPP lease
22 restrictions and what is an exclusion based on particular
23 addresses. That has been proven to not work. But in this case,
24 it's actually an exclusion based on the frontage of 14th Street
25 with an inclusion of a particular address. So it works in the

1 DMV records in the inverse, where if your address is able to use
2 RPP eligibility, that works in the system, but an exclusion would
3 not have worked.

4 So because -- by nature of us being just on -- simply
5 on the block that fronts on this segment of 14th Street, the
6 address is in a range that will be immediately excluded when the
7 DMV looks at that application.

8 CHAIRPERSON HOOD: Okay. Okay. I'm glad to hear that
9 we hopefully are getting closer to making sure that that works;
10 stop putting community on promised land. So thank you for that
11 clarification.

12 Mr. Pichon, did I pronounce your name correctly?

13 MR. PICHON: That is correct.

14 CHAIRPERSON HOOD: Okay. Because I've always tried to
15 make sure I pronounce your name correctly. I'm looking at the
16 -- I'm thinking about the streets on Crittenden -- Crittenden
17 Street, 15th Street, and Buchanan. And I appreciate the rendering
18 that show the distance between the, I guess, the homes or the
19 backyards or the lot lines to the property. And I also appreciate
20 the shadows. And I was concerned about the northeast and still
21 am. I'm just -- and I don't want to put it back up. But I just
22 need to -- I need a rendering, and if you could point me to it.
23 I'd like to see a live rendering, if I was in the backyard of
24 someone on Crittenden, on 15th, or on Buchanan. I don't know if
25 we have one, but I would like to see a perspective. If I'm

1 sitting in the backyard of one of those houses at a barbecue,
2 and I know the different times of the year will change, I would
3 like for either summer, winter, fall, and spring, in all four
4 -- all three of those different areas where the most shade will
5 be. I would like to see that.

6 And I know you have some shadow studies, but I -- and
7 I know there were certain times of year, and I don't think it
8 was representative of all times of the year. If it is, if you
9 could point to that, I would greatly appreciate it. So that's
10 an ask, unless you can respond right now and tell me where I need
11 to be looking.

12 MR. PICHON: There are shadow studies, and I believe
13 they're in the record for the various solstice. So winter,
14 spring, summer, and fall.

15 CHAIRPERSON HOOD: Okay.

16 MR. PICHON: And I think what was presented today was
17 the one with the most impact, which was the winter.

18 CHAIRPERSON HOOD: Okay.

19 MR. PICHON: The other ones we're not -- they're in the
20 record, I believe, as a very minimal impact. We do have a
21 rendering as part of the record in our filing and in the
22 presentation that shows the rear of the building. And it's really
23 from -- the vantage point would probably be from a backyard of
24 one of the Crittenden Street houses. The difference is, is that
25 we don't have -- we're not representing the actual fences and

1 gates. So if you were sitting in that backyard, it's as if the
2 fences and gates are invisible, and you're actually just looking
3 at the building. If we were to add in those fences, the building
4 would be even further, you know, blocked by those fences. But I
5 think from your question, you're looking more for the impact of
6 the shadow, the shadowing of the building, as opposed to the view
7 of the building, if I'm understanding it.

8 CHAIRPERSON HOOD: What I'm trying to -- yeah, what I'm
9 doing is putting myself in those neighbors' position. I want to
10 see what they're going to look at from their -- I want to see
11 what they're going to be looking at. And I haven't seen anything
12 in the record. And I stand to be corrected, but I have, like I
13 said, it's 764. I may have went on through it. But I want to
14 see what they're going to look at. And I want to see it from
15 both vantage points of 15th Street, Crittenden, and Buchanan.

16 MR. PICHON: Yes.

17 CHAIRPERSON HOOD: And if it's already there, just
18 direct me to it.

19 MR. PICHON: Well, we do not have that particular
20 vantage point that you're asking for, but we can produce that,
21 and supplement it.

22 CHAIRPERSON HOOD: Okay. Okay. Yeah, because I want
23 to see what I going to see when I'm walking through the alley.
24 So I think that'll cover that for me. And actually, that's all
25 the questions I had.

1 Any follow up?

2 Thank you.

3 Any follow up questions, colleagues? Because I do want
4 to get to -- I want us to ask our questions, but I do want to
5 get to the public. If not, in about an hour, I'm doing to see
6 if we have to have a second date. So that's kind of where I am.

7 All right. Let's go to the office -- no, let's go to
8 the ANC. Commissioner Campbell, I think, is representing the
9 ANC. And let me just say, ANC 4C, I do want to say that I've
10 watched their work over the years, and they put a lot of time
11 and effort into their reports, into this stuff. So hats off to
12 them. Well, pro or con, they put a lot of work into it. So,
13 Commissioner Campbell, if you could -- if you -- his -- if you
14 --

15 COMMISSIONER CAMPBELL: Yes, Chairman Hood.

16 CHAIRPERSON HOOD: Yes, sir. Good afternoon. So he
17 --

18 COMMISSIONER CAMPBELL: Thank you for recognizing me.

19 CHAIRPERSON HOOD: Oh, sure. So, look, if you have any
20 questions, this is, as you know, this is not the time for your
21 presentation. We're going to bring you back up. But if you have
22 any questions of the applicant of what you've heard, any cross,
23 this is the time to do that now.

24 COMMISSIONER CAMPBELL: No, I do not have any questions
25 nor any cross for the applicant at this time.

1 CHAIRPERSON HOOD: Okay.

2 COMMISSIONER CAMPBELL: Thank you.

3 CHAIRPERSON HOOD: Okay. So thank you.

4 Let's leave Commissioner Campbell up, because he may
5 have some questions of the Office of Planning or DDOT.

6 Now, let's go to the party in opposition, Mr. Donohue?
7 It's funny, you have to look around the screen, then you -- then
8 the person's name moves.

9 Mr. Donohue, you have any cross-examination?

10 MR. DONOHUE: I do.

11 CHAIRPERSON HOOD: Okay.

12 MR. DONOHUE: If it's all right with you, I'd like to
13 start with the representative from Gorove Slade. I believe it's
14 Mr. Zeid.

15 Mr. Zeid, we went briefly, and you were pretty deep
16 into the speaker's list, so I appreciate your brevity, but I do
17 want to take you back and ask you about the alley configuration.
18 And if you've got a graphic that can show the alley, both on --
19 both the southern and the northern alley, in particular.

20 MR. ZEID: In the presentation, there should be a
21 graphic that has both of those, if I can figure out what slide
22 that is here.

23 MR. DONOHUE: Right. All right. Well, let me ask you
24 my question, because I think you may have -- I think you're moving
25 too fast. I'll give you the -- I'll give you that.

1 MR. ZEID: Slide 62.

2 MR. DONOHUE: The 10-foot alley that's south of the
3 proposed project -- it's south of the site, how wide is that
4 alley?

5 MR. ZEID: The 10-foot alley south of the site?

6 MR. DONOHUE: Yeah. Yes.

7 MR. ZEID: It's approximately 10 feet in width.

8 MR. DONOHUE: And the --

9 MR. ZEID: West of the garage that we're pointing to
10 here.

11 MR. DONOHUE: Yeah. That's what I'm getting at. So
12 how much of the alley is proposed to be widened?

13 MR. ZEID: The alley is proposed to be widened from
14 14th Street. You can see the area that's sort of highlighted
15 here in orange on this slide. That section of the alley is
16 proposed to be widened to a minimum of 15 feet. I say a minimum,
17 because you'll see that it chamfers over to the garage entrance,
18 where it gets even wider to increase maneuverability.

19 MR. DONOHUE: Right. So what is the distance of that
20 widening portion?

21 MR. ZEID: It's approximately 15 feet from the edge of
22 the property on the south. There's an existing concrete slab
23 there. So we're not including that width. We're just including
24 up to that property line to the base of the building.

25 MR. DONOHUE: What's the dimension east to west of the

1 widened portion?

2 MR. ZEID: We -- I do not know that off the top of my
3 head. I'd have to measure that.

4 MR. DONOHUE: Okay. So for the remainder of that alley,
5 as I'm heading west toward 15th Street, it remains at 10 feet,
6 right?

7 MR. ZEID: Correct. And you can use as a landmark,
8 there's a north-south alley there that goes down to Buchanan. So
9 it's widened approximately from there over to 14th.

10 MR. DONOHUE: I see. All right. Do you have a graphic
11 that shows that -- I believe I saw one that showed -- maybe it's
12 the one that's up on the screen? It shows the garbage trucks.

13 MR. ZEID: That -- we do have that in our appendix, I
14 believe.

15 MR. DONOHUE: Okay. I'm trying to understand how the
16 vehicles -- delivery service, garbage trucks, et cetera, are
17 going to make these turns in the alley. And I've heard you --

18 MR. ZEID: Slide 123, chamfered corners.

19 MR. DONOHUE: Well --

20 MR. ZEID: Slide 123, if you want to see that visually
21 while you're describing it.

22 MR. DONOHUE: All right. Can you walk us through this
23 and tell me how that's going to work?

24 MR. ZEID: So could you repeat the question on what
25 -- how what is going to work?

1 MR. DONOHUE: Yeah. For example, how is trash hauling
2 going to be done?

3 MR. ZEID: So this slide right here is not for trash
4 for this building. This is just to show the maneuverability of
5 residential trash trucks servicing, you know, the green trash
6 bins behind people's houses. We do have truck turns for the
7 actual building's loading dock that are either in the -- they're
8 in the record. They were part of the CTR statement that was
9 submitted for the project.

10 COMMISSIONER MAY: The next slide.

11 MR. ZEID: Please, the next slide. Please --

12 MR. DONOHUE: How is these trucks going to navigate
13 this 10-foot -- that alley? That's what I'm getting at.

14 MR. ZEID: So the intent is that these trucks will not
15 have to navigate the 10-foot-wide alley. The alley is being
16 widened to 15 feet from the garage entrance over to 14th Street.
17 We provide increased maneuverability. You'll see here on the top
18 left, that's a 30-foot loading truck. And that truck can make
19 the right turn onto the widened 15-foot alley, can come over.
20 And we've chamfered that corner specifically to accommodate these
21 truck turning movements. They can pull in and make a back-in
22 maneuver into the loading dock. You'll see on the bottom of the
23 screen. The truck can also make a few maneuvers to turn around
24 to head back out to 14th Street. And there is also the potential
25 that the truck could exit directly onto Buchanan, if needed, via

1 straight out of the garage through that alley. But we do have
2 maneuverability to use 14th Street head in and head out with this
3 project.

4 MR. DONOHUE: Okay. You mentioned to us that you looked
5 at parking in the area, and you said that DDOT wasn't going to
6 require it. But you made a statement that said that it was
7 generally parking to the east of the site. Could you explain
8 that?

9 MR. ZEID: Yes. So we prepared -- as I said, we
10 prepared that study, because we were previously seeking parking
11 relief. And that is a component when you're doing so, you
12 typically prepare that study as part of the statement. So we
13 scoped the study area with DDOT, who agreed. We went out to the
14 west of the site, and we went out to the east of the site, to
15 the north and the south. Parking occupancy counts were conducted,
16 and we observed that there was a high availability of parking to
17 the east of the site. The area to the west was generally a little
18 higher occupied, but the -- I believe the overall numbers were
19 under 70 percent occupancy for the overall study area for the
20 time period selected.

21 MR. DONOHUE: All right. Did you also assess the
22 intersections to the west of the site?

23 MR. ZEID: To the west of the site? We did not.

24 MR. DONOHUE: Go as far as 15th Street?

25 MR. ZEID: We did not.

1 MR. DONOHUE: Was that asked of you by DDOT or no?

2 MR. ZEID: It was not, no.

3 MR. DONOHUE: Did DDOT ask you to assess the WMATA
4 property across the street?

5 MR. ZEID: They did not, no.

6 MR. DONOHUE: You know, about that property, right?

7 MR. ZEID: We are aware that the WMATA property is
8 undergoing renovations, yes.

9 MR. DONOHUE: You know the size of that property.

10 MR. ZEID: I want --

11 COMMISSIONER MAY: I'm sorry. He didn't testify about
12 that building. When are you asking questions about that building?

13 MR. DONOHUE: Well, he's the transportation expert, and
14 I think it's important --

15 COMMISSIONER MAY: He answered your question about
16 whether the, you know, whether they assessed that, and they --
17 whether they were asked to assess it. So why are you asking him
18 particulars about that building? It doesn't -- it's not relevant.

19 MR. DONOHUE: All right.

20 Mr. Zeid, are you aware that the properties within the
21 proximity for impact of construction from the WMATA property?

22 MR. ZEID: I'm not entirely sure of all the construction
23 for that project, no.

24 MR. DONOHUE: Okay. All right.

25 Let me ask some questions of Mr. Pichon, if I can.

1 Mr. Hood was asking you about shadow studies, and I'd
2 like to know if your firm prepared those, or if those were done
3 by someone else.

4 MR. PICHON: No, PGN perform -- prepared those.

5 MR. DONOHUE: Okay. Could you explain the statement
6 that said that there was essentially no additional shading? I
7 believe it was -- it was a summary that Mr. Utz gave us at the
8 end of his presentation, and he was characterizing the shadow
9 study and moving pretty quickly. But he talked about the one
10 that he had up on the screen. Do you recall that graphic?

11 MR. PICHON: Yes.

12 MR. DONOHUE: All right. Do you recall what he said
13 about the shadow in that time of year? I believe when you
14 responded to Mr. Hood, you said there were solstice reports,
15 right?

16 MR. PICHON: Yes, we looked at all four seasons, and
17 we actually looked at a detailed study of the winter season,
18 because that's the season that has the largest shadow cast. And
19 what we concluded was that there was -- there was impact --
20 additional impact. What Jeff was referring to was additional
21 impact over what was -- what are existing shadows. So our diagram
22 shows the existing shadows, and then additional shadows being
23 cast that will be cast by the new structure.

24 MR. DONOHUE: All right. So that's really getting to
25 my question then. So you didn't assess this project versus

1 Matter-of-Right, for example? You assessed existing conditions
2 and proposed, correct?

3 MR. PICHON: Right. Correct.

4 MR. DONOHUE: Okay. All right. There was another shot
5 or a couple of shots, I think. It came from 15th Street or
6 Crittenden and 15, looking back on the rendering. Do you recall
7 those photos?

8 MR. PICHON: Yes.

9 MR. DONOHUE: Okay. Can we find those?

10 MR. PICHON: Slide 36.

11 MR. DONOHUE: Can we go either up or down one?

12 It was a view from the rear -- from 15th Street.

13 How about that one? So that shows the project in center
14 screen, essentially, right, between the two homes left and right.

15 MR. PICHON: Correct.

16 MR. DONOHUE: Has that got the full impact of the roof
17 structures on there, HVAC, other?

18 MR. PICHON: That has a -- the penthouse and the main
19 structure of the building. I can barely see if there is any --
20 the -- I know the massing of it is there, but I'm sure that it's
21 visible, the six-foot --

22 MR. UTZ: It's (indiscernible).

23 MR. PICHON: The six-foot screen.

24 COMMISSIONER MAY: See if you can see it up there.

25 MR. DONOHUE: Oh, yeah.

1 COMMISSIONER IMAMURA: Yeah, it's up there.

2 MR. PICHON: If you zoom in, you can actually see the
3 screen. It's kind of being distorted by the leaves on the trees.

4 MR. DONOHUE: Okay. Just a couple more questions.
5 There was a statement made earlier about a proposed, I think it
6 was called, a three-storey compromise. It was discussed with the
7 community. I'm sure there was plans drawn by you or your shop,
8 and then shown and dismissed. And then the time frame was June
9 of 2021. Is that about right?

10 MR. PICHON: Correct.

11 MR. DONOHUE: Okay. Do you have that graphic? Do you
12 have that proposal?

13 MR. PICHON: We do not.

14 MR. DONOHUE: Okay. But you did drawings on that,
15 correct?

16 MR. PICHON: Yes.

17 MR. DONOHUE: Okay. Would you characterize it as a
18 three-storey solution or a three-storey project?

19 MR. PICHON: The three -- we were reducing the -- the
20 proposal was to reduce the rear portion of the building from what
21 is now four stories to three stories. The front of the building
22 along 14th Street was remaining at five stories.

23 MR. UTZ: And then the setbacks were increasing or
24 decreasing or decreasing, right?

25 MR. PICHON: Decreasing, yes. Yes. It was basically

1 a flattening of the rear portion of the building, but then that
2 expanded the edges out closer to the property lines.

3 MR. DONOHUE: I understand about setbacks. What I'm
4 getting at is the height, and I'm trying to get to what would
5 have been the overall height on that project, if you know?

6 MR. PICHON: I don't recall, but it was three --
7 relative three -- to three stories.

8 MR. DONOHUE: Okay. Mr. Hood asked you about the
9 renderings or the views, if you will, from the rear of Buchanan,
10 view of Crittenden and view of 15th Street, correct?

11 MR. PICHON: Correct.

12 MR. DONOHUE: And you're going to submit those for each
13 of the three points of the compass, if you will, north and west
14 and south?

15 MR. PICHON: Yes, we will include in that the
16 supplemental.

17 MR. DONOHUE: Okay. Thank you.

18 Mr. James, can I ask you a couple questions?

19 (No audible response.)

20 MR. DONOHUE: Thank you, Mr. Pichon.

21 MR. PICHON: Thank you.

22 MR. JAMES: I'm here. Go ahead.

23 MR. DONOHUE: So early on, quite a while ago now, you
24 had slide nine up there, which was a background on the project
25 construction cost and talks about the 100 units, and then you

1 compared 101 units to 79, 57, et cetera. And in that rough time
2 frame, you were also going through some pretty remarkable numbers
3 about the impact of construction costs -- rising construction
4 costs on the project. Right?

5 MR. JAMES: Yes, correct.

6 MR. DONOHUE: I believe you put it at something like
7 20 or 25 percent in some time frame and as much as 15 percent in
8 the last year. That sound about right?

9 MR. JAMES: That the numbers we've gotten from our
10 general contractors we've been speaking to so far, correct. On
11 some on certain line items, not the entire budget, on certain
12 major construction line items.

13 MR. DONOHUE: So I can appreciate that this is a dynamic
14 environment. And maybe that's too rosy a word, but I'll use it.
15 But you've got a hard number in there from the DHCD. It says
16 \$343 a square foot.

17 MR. JAMES: That is from the RFP?

18 MR. DONOHUE: Is there any variation in that number?
19 In other words, is that number going to be adjusted by the pull
20 of inflation, anything like that, or is that a hard and fast
21 number?

22 MR. JAMES: It is every year whatever they put into the
23 RFP is what we in the development community need to abide by. So
24 that is what it was as their most recent RFP. I could not tell
25 you what it's going to be next year.

1 MR. DONOHUE: Understood. So you've got costs rising
2 at 20 or 25 percent, and you think you've got a number of \$343 a
3 square foot to shoot at, correct?

4 MR. JAMES: We -- based on the feedback we've gotten
5 from our general contractors and from the preliminary scope of
6 the building, yes. We are looking at some very significant costs.
7 But that's common to everyone in D.C. and nationally, I would
8 imagine.

9 MR. DONOHUE: No, I appreciate that. What I'm getting
10 at is there's a very specific number here, 101 units. And there's
11 a very specific breakdown of affordable one bedroom, two-bedroom,
12 three-bedroom. We've gone through that in some detail. But
13 these other numbers, costs, and this one I'll talk about in a
14 moment, financing, are all quite speculative. And in the cost
15 side rising pretty significantly. Would you agree?

16 MR. JAMES: Speculative in the sense that they're based
17 on the most recently available data of construction? If you want
18 to be speculative for that, you could, but it is based on recent
19 data we have, yes.

20 MR. DONOHUE: Okay. So when you were asked about the
21 funding, we talked about Housing Production Trust Fund, and we
22 talked about DHCD, and you said, I think, that there was a success
23 rate of between 20 and 25 percent. That sound right?

24 MR. JAMES: Yes. And so, in a year we were even lower
25 than that, like, just a year ago.

1 MR. DONOHUE: That's not very optimistic.

2 MR. JAMES: It's a hard, hard business to be in,
3 affordable housing. It's very, very competitive, very difficult.

4 MR. DONOHUE: When I asked Mr. Pichon about the three-
5 storey solutions, that was a set of plans that was a proposal
6 that was produced and shared with the ANC; is that correct?

7 MR. JAMES: It was a community. I'm not sure. I'm
8 not sure.

9 MR. DONOHUE: That's fine. Either community meeting
10 or an ANC meeting, right?

11 MR. VANARSDALE: Yes, it was.

12 MR. DONOHUE: Was there a vote taken at that time?

13 MR. JAMES: Yeah, I don't -- I don't recall if that
14 happened, if a vote was taken.

15 MR. DONOHUE: Maybe that wasn't your statement.

16 MR. VANARSDALE: Do you want me to jump in, Mark?

17 MR. JAMES: Sure, man. Get in there.

18 MR. VANARSDALE: Yeah. That was a community meeting.
19 There was no -- it was not an ANC, a full ANC meeting. It was a
20 presentation to the community.

21 MR. DONOHUE: Was that in the June 21 time frame, Chris?
22 Does that sound right?

23 MR. VANARSDALE: It could have been. I'd have to look
24 back at the -- all of it's documented in the -- the presentations
25 have all been -- are all publicly available, so I can go back

1 and check, but that was a month --

2 MR. DONOHUE: It was a community meeting. Something
3 less than an ANC session, correct?

4 MR. VANARSDALE: It was an SMD-level meeting. ANC
5 commissioners were present, but it was not a formal ANC meeting.

6 MR. DONOHUE: Okay. Thanks. I appreciate it.

7 Thank you, Mr. Chairman.

8 CHAIRPERSON HOOD: Okay. Thank you, Mr. Donohue and
9 others.

10 Let's go to the Office of the Planning and District
11 Department of Transportation. You can bring them up. I think
12 it's Mr. Mordfin and -- I forgot who the DDOT -- Ms. Blondin.
13 Okay. All right. So we'll hear from OP first, and then we'll
14 going to DDOT and then we'll ask our questions.

15 MR. MORDFIN: Okay. Good evening, Chairman and members
16 of the Commission. I'm Stephen Mordfin with the Office Planning.
17 Yeah, I do have a PowerPoint, but before I start with that, I
18 just wanted to go through a couple typos that are in my report,
19 just to make everybody aware. On page 10, on the last paragraph,
20 in the first line of the last paragraph, I wrote "defines medium
21 density commercial," that should say moderate density commercial.
22 That's an error. And then on page 12, for the gross floor area
23 of the building, right, it includes the difference. The
24 difference should be 77,594 square feet. The other number that
25 got included in there is the max that could be achieved under

1 the MU-5A, not what the applicant has requested. And then on
2 page 13, under market -- on the chart at the bottom, the table
3 at the bottom, market rate, the percentage of the total is 38,
4 and then the number of units is 31. That's an error in that way,
5 everything adds up to 100. And then lastly, on page 14, where
6 I'm talking about the proposed building would include new space
7 specifically designed for Dance Loft and arts use, I
8 inadvertently included the number -- the square footage of the
9 retail would be. That number should be 11,277. It's a larger
10 use than the retail space. So I apologize for those errors.

11 Now, for this project, the applicant is requesting a
12 consolidated PUD with a PUD-related map amendment from the MU-3A
13 to the MU-5A, which are both moderate density, mixed-use zones,
14 and that is to construct a mixed-use building consisting of a
15 nonprofit performing arts use, Moveius Contemporary Ballet
16 Company/Dance Loft, a locally-owned woman and performing arts
17 company, (2) 1,888 square feet of modern retail space, and (3)
18 101 apartment units, including 24 three-bedroom units. Sixty-six
19 of the apartment units would be affordable at 30, 50, and 60
20 percent MFI. The site today is improved with no residences;
21 therefore, the construction of the building would not result in
22 residential displacement. As proposed, it would add to the mix
23 of housing within the surrounding neighborhood, including new
24 family-sized, or three-bedroom units. Approximately two-thirds
25 of the building would be affordable within an area that is

1 currently deficient in affordable housing and where 12 percent
2 of the residents live below the poverty line.

3 Initially, the applicant did request two areas of
4 flexibility. One of them, as was discussed this evening, is no
5 longer required, and that's the reduction in parking from 55 to
6 40, because, at the end of last week, DDOT did remove the RPP
7 designation. So the one area of flexibility the applicant is
8 still requesting is a PUD-related map amendment from the MU-3A,
9 which is a moderate density mixed-use zone to MU-5A, which is
10 also a moderate density, mixed-use zone.

11 If you could move up to the other slide, please.

12 So -- and there we can see I know that that also showed
13 these, but you can see where the subject property is by the blue
14 arrows, and how that then -- this request for that change in the
15 PUD-related map amendment is consistent with the plans. The
16 Central 14th Street Vision and Revitalization Strategy Plan calls
17 for the addition of 130 new residential units on 14th Street
18 between Webster Street and Decatur Street. And for this site in
19 particular, it calls for ground-floor retail uses with three to
20 four floors of residential above, consistent with the
21 application. The building would be faced with red brick, in a
22 manner similar to the surrounding row houses. Its greatest height
23 would face 14th Street away from the surrounding residences, due
24 to the topography of the site sloping upward from east to west.
25 The building would be four stories in height at the rear, more

1 generally consistent with many of the surrounding row houses,
2 many of which are up to three stories in height, as they face
3 the alleys across from the subject property. Therefore, OP
4 recommends the Commission approve the application and is
5 available for questions. Thank you.

6 CHAIRPERSON HOOD: Thank you, Mr. Mordfin.
7 Mr. Mordfin, are you going to supplement the record with the
8 corrections, or have you already done that?

9 MR. MORDFIN: I can. I --

10 CHAIRPERSON HOOD: Okay. I think that would be good,
11 especially when you start to talk about (indiscernible). But,
12 anyway, yeah, I think it would be good.

13 All right, let's go to -- we won't ask questions yet.
14 Let's go to Ms. Blondin.

15 MS. BLONDIN: Good evening, all. For the record, my
16 name's Emma Blondin, and I'm with the District Department of
17 Transportation. DDOT data is supportive of the applicant's
18 proposal, as you heard in their presentation. They've
19 coordinated with us, DDOT, on the transportation impacts and have
20 come to an agreement with -- we have come to an agreement with
21 the applicant on a robust transportation demand management plan
22 to mitigate the project's impacts on the transportation system.
23 That includes several pedestrian improvements to the uncontrolled
24 intersection of Crittenden and 14th Street. The applicant has
25 agreed to that and other additional TDM elements that we

1 requested, as they noted in their presentation.

2 With the agreed to TDM plan and the loading management
3 plan included in the final zoning order and continued
4 coordination with DDOT through the public safe permitting
5 process, DDOT has no objection to the approval of this
6 application. Thanks, and I'm here for questions.

7 CHAIRPERSON HOOD: Okay. Thank you, too, Ms. Blondin.

8 Again, thank you, Mr. Mordfin.

9 Ms. Blondin, let's see if we have any questions.

10 Commissioner May, any questions of either one?

11 COMMISSIONER MAY: I do not have questions of either
12 agency. Thank you.

13 CHAIRPERSON HOOD: Okay.

14 Commissioner Imamura, any questions of either one?

15 COMMISSIONER IMAMURA: No questions, Mr. Chair.

16 Thank you both for your report.

17 CHAIRPERSON HOOD: Okay. And Vice Chair Miller, any
18 questions?

19 VICE CHAIR MILLER: Thank you, Mr. Chairman.

20 And thank you, Mr. Mordfin, for your report, including
21 the racial equity lens analysis on pages five and six of your
22 written report. Did you have any comment? Did -- I don't know
23 if you heard my question about the flexibility on the total number
24 of housing units and what OP's recommendations in the past have
25 been on that score, in terms of maintaining the proportionality

1 of the affordable units when the total changes or even maintaining
2 the minimum number that was discussed at the hearing. But do
3 you have a comment on what OP's -- or does OP have a position on
4 that in this case and just generally about what we -- what you've
5 been recommending on that point?

6 MR. MORDFIN: Yeah. What we recommend is we -- what
7 we don't want to see is, if the building gets smaller, we don't
8 want to see a reduction in the number of affordable units from
9 what was proffered by the applicant. The building gets bigger,
10 we want to maintain then the percentage. So it depends on what
11 the applicant is proposing to do. Oftentimes, you know, buildings
12 make it smaller, fewer units, and then the -- if they maintain
13 the percentage, we get fewer units. So we want to make sure that
14 we get the units that were proffered at the hearing.

15 VICE CHAIR MILLER: That had been my recollection in
16 the more recent cases. So I appreciate you providing that on
17 the record today, clarifying that in my own mind. Thank you. I
18 appreciate it.

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

20 Let's go to the applicant. Does the applicant have any
21 -- Mr. Utz, do you have any questions of either Office of Planning
22 or DDOT?

23 MR. UTZ: I do not. Thank you.

24 CHAIRPERSON HOOD: Okay.

25 And, Commissioner Campbell, you have any questions of

1 either the Office of Planning or DDOT?

2 COMMISSIONER CAMPBELL: (No audible response).

3 CHAIRPERSON HOOD: Okay. Thank you.

4 Mr. Donohue, do you have any questions of either Office
5 of Planning or DDOT?

6 MR. DONOHUE: Just a couple, Mr. Chairman.

7 CHAIRPERSON HOOD: Okay.

8 MR. DONOHUE: Ms. Blondin, can I start with DDOT?

9 MS. BLONDIN: Sure.

10 MR. DONOHUE: We had a little bit of exchange with the
11 rep from Gorove Slade about the alley, the 10-foot-wide alley to
12 the south, and the 15-foot valley wide alley to the north of the
13 site. Does DDOT have concerns about how the project is going to
14 affect the existing alley configuration around the property?

15 MS. BLONDIN: We don't generally. For the most part,
16 they've accommodated by extending that space from 14th to their
17 entrance to 15 feet. That -- that's the space that we see them
18 using, and they've identified that they'll use. The rest of it
19 will function generally the same. That being said, as the
20 applicant said, we are expecting them to evaluate this -- the
21 loading and the alley usage after a year and to see if there are
22 any additional accommodations that are needed. Typically, for a
23 two-way alley, we -- our standard is not 10 feet. Right? And
24 while that alley has been existing in a 10-foot situation for
25 however long it's been there as a two way, we do want to make

1 sure that, you know, the -- we're accommodating any needs that
2 are there with the possibility of maybe making it one way, if
3 needed. But that's -- that'll be an after the fact evaluation.
4 So as of now, we don't have concerns, but we have built that into
5 our recommendations and conditions.

6 MR. DONOHUE: So about a year after the project is
7 built, we're going to consider whether the alley was wide enough
8 to accommodate the project?

9 MS. BLONDIN: So it is wide enough, right. We -- we've
10 -- they've shown us truck turning maneuvers. We are -- our
11 standard is to have -- not to have any backing in movements, and
12 they've accommodated that within their garage. But because this
13 is a 10-foot alley, we understand that there could be other needs.
14 And so, that's something that we have built in. So we don't have
15 any concerns, but we understand there may be concerns on the
16 neighbors' part, and so, we've built that in that after a year,
17 if needed, we can reevaluate that.

18 MR. DONOHUE: Does the applicant's transportation plan
19 contemplate the redevelopment of the WMATA property?

20 MS. BLONDIN: It does. And we have also, when reviewing
21 their transportation statement, we have kept in mind the
22 redevelopment of that site. And we have requested that through
23 the -- their development -- further development of the site, that
24 they coordinate with WMATA. We have put them in contact with
25 the developers over there and are making sure that the

1 developments coordinate, but also, you know, they're both working
2 on the public space in front on 14th Street to make sure that
3 that's a, you know, a vibrant, well used space.

4 MR. DONOHUE: The two could well be in construction at
5 the same time, right?

6 MS. BLONDIN: Yes, I believe that is a possibility.

7 MR. DONOHUE: But they're going to coordinate and work
8 it out?

9 MS. BLONDIN: Yes.

10 MR. DONOHUE: Okay. Thank you.

11 MS. BLONDIN: Thank you.

12 MR. DONOHUE: Mr. Mordfin, can I ask you a question
13 about the OP report?

14 MR. MORDFIN: Yes.

15 MR. DONOHUE: Would you turn to page nine of your
16 report, about the middle of the page; actually, the second bullet.

17 MR. MORDFIN: One second. Okay. Yeah.

18 MR. DONOHUE: So there was specific language put in the
19 14th Street Vision Plan for what they call the Value Furniture
20 site, correct?

21 MR. MORDFIN: Correct.

22 MR. DONOHUE: Okay. Can you read that second bullet?

23 MR. MORDFIN: "The surrounding residential uses between
24 Crittenden and Buchanan consist of single-family homes with rear
25 yards backing up to the opportunity site. In all cases, height

1 and density should front on 14th Street and step back away from
2 existing residential neighborhoods."

3 MR. DONOHUE: So there was a discussion earlier about
4 what they call the three-storey solution. There's been a
5 longstanding discussion about trying to push development toward
6 14th Street. You're aware of that?

7 MR. MORDFIN: Yes.

8 MR. DONOHUE: Okay. So I guess my question is this;
9 would that -- if the project were reconfigured, such that the
10 density and height were moved toward 14th Street, would that be
11 more consistent with this bullet?

12 MR. MORDFIN: I would say it's consistent now. The
13 tallest part of the building does face 14th Street. So it has
14 the greatest density, the portion of the building that faces
15 14th. The square itself is not level. The -- it goes up from
16 14th Street to 15th Street. And as the building is designed,
17 you can see that it is one level lower in height at the rear, at
18 the alley that's at the rear than it is at the front, with most
19 of the height of the building -- the greatest height of the
20 building does face 14th Street. So I would not argue that. I
21 mean, you could redesign the building any way you want, but I
22 wouldn't say that the building, as designed now, does not conform
23 with what that bullet says.

24 MR. DONOHUE: Have you considered what the view is
25 going to be like down on the ground, say, at the rear of Buchanan

1 and the rear of Crittenden -- the homes on Buchanan and
2 Crittenden?

3 MR. MORDFIN: Well, those homes will be set back 15
4 feet or 10 feet, depending on the width of the alley, plus their
5 rear yards and also, the height of those buildings. Many of them
6 have exposed basement levels, so they are actually higher in the
7 rear than they are at the front. So in places you have three-
8 storey, you know, what appears as a three-storey rear, which will
9 then face a four-storey building at the rear of the proposed
10 building. It's not exactly the same, but it's more generally
11 consistent with what this is recommending.

12 MR. DONOHUE: So you'd say we -- it is -- the project
13 -- it is consistent with this section -- this bullet point.

14 MR. MORDFIN: Yes, I would say that.

15 MR. DONOHUE: Well, thank you.

16 Thank you, Mr. Chairman.

17 CHAIRPERSON HOOD: All right. Thank you.

18 Next, let's go to the ANC's report. Let's go to
19 Commissioner Campbell.

20 COMMISSIONER CAMPBELL: Thank you, Mr. Chairman.

21 Since the ANC's report is already part of the record,
22 and I know that all of you have had the opportunity to review
23 it, I'm going to talk a little bit about the ANC's process in
24 arriving at the conclusion that we did.

25 So upon the notification that the applicant was filing

1 a Notice of Intent, the agency began receiving correspondence and
2 email from affected members of the community on Buchanan Street
3 Northwest and Crittenden Street Northwest.

4 Recognizing the level of interest on the part of the
5 neighbors with regard to this application, I sought information
6 from the Office of Zoning regarding the PUD process. I received
7 resource material, specifically PUD summaries, ZR-16 handout, and
8 PUD presentation, which I shared with members of the community
9 through email. I also acknowledged each message received,
10 registered whether the party was in opposition to or support of
11 the application, and informed the party of the process;
12 specifically that the Zoning Commission would be deciding the
13 matter, but that the ANC would vote prior to that hearing and
14 report to the Zoning Commission. I also encouraged those making
15 contact to share their opinions with the Zoning Commission, and
16 that I would notify them of all ANC meetings related to the
17 matter.

18 As per the zoning regulations, following notification
19 of the NOI, the applicant sought time on the ANC agenda for the
20 purpose of presenting their initial plan. The ANC heard from the
21 applicant at its April 2021 meeting. Following that
22 presentation, the ANC allowed the applicant to pursue its
23 community engagement, and the applicant held a number of
24 meetings, which I and a number of my colleagues attended.
25 Following the applicant's filing of the PUD application, the ANC

1 began its engagement process. As the Commissioner representing
2 the single member district in which the proposed project is
3 located, I took the lead in organizing the community engagement
4 process on behalf of the ANC.

5 I held virtual meetings in May, December, sorry,
6 November and December of 2021 and January '22. An in-person
7 meeting was held in February 2022. I want to reiterate that the
8 December 2021 meeting featured Ron Baron from the Office of the
9 Zoning. Mr. Baron described in detail the PUD process and took
10 numerous questions regarding options available to those who might
11 oppose the application. My primary goal during the process was
12 that the ANC maintain an impartial posture. With so many taking
13 sides, and the pressure that was directed at the ANC, I felt that
14 the most responsible course was to try to listen to various
15 opinions, seek the counsel of experts, and evaluate the project
16 to determine if it was in line with the standards set for a PUD
17 and consistent with the law.

18 I'm not a development expert. However, in my role as
19 an ANC Commissioner, the District of Columbia sees that I have
20 access to those with such expertise. I sought to take advantage
21 of this -- excuse me -- and consult whenever possible with the
22 District agencies charged with reviewing the application. I
23 spoke directly with the Office of Planning, the D.C. Department
24 of Transportation, the D.C. Fire and Emergency Medical Services
25 Department, D.C. Water and Sewer Authority. I communicated via

1 email with the D.C. Department of Housing and Community
2 Development. Utilizing information from these various agencies,
3 I was able to make a determination on the project, and my
4 recommendation was that the ANC support the application. And I
5 am comfortable that the ANC has performed its required due
6 diligence in analyzing and evaluating the application and that
7 that process is appropriate and able to withstand scrutiny.

8 A major concern that emerged was the status of the
9 existing businesses, which stood to be displaced by the proposed
10 development. Although the businesses are under lease, and in the
11 event the application is approved, would not have to relocate
12 until two years from now at the earliest, steps were taken to
13 address those concerns. And I'm delighted that the merchants
14 group has withdrawn their opposition and is now in support of the
15 application.

16 I want to say that I am empathetic to the opponents of
17 the project. Their assertion that the development would be larger
18 than anything else in the immediate area is accurate, and I myself
19 had been generally critical of the numerous conversions of what
20 had previously been single family homes into multi-unit dwellings
21 that have proliferated in this community during recent years. I
22 have not welcomed those pop-ups and pop-backs, as they detract
23 from the atmosphere that attracted me and my wife when we were
24 looking for a place to start our family and purchased in this
25 community back in 1995. However, as I was responding to criticism

1 of the ANC's vote to support, I noted that it would have been
2 impossible for the ANC to have opposed this project. Based on
3 the information obtained from the OP report and the agency's
4 analysis, there was no legitimate basis for the ANC to have
5 opposed the application. The ANC also notes that the proposed
6 project, while it abuts a residential zone, is located in a mixed-
7 use zone.

8 The other thing that I'd just like to reiterate is the
9 affordability aspect of this property. I myself have noted on
10 numerous occasions that even what constitutes affordability here
11 in the District of Columbia is not necessarily actually
12 affordable. But at the deeply-affordable rates that this project
13 will hit, particularly the 30 percent of MFI, it begins to
14 actually become affordable.

15 Also, the development's presence in an urban
16 environment should preclude any assumption that this corridor
17 will remain as it is. Development is an inevitable consequence
18 of living in an urban area. The question regarding development
19 is when rather than if. Given the exceptional nature of this
20 proposed project, the ANC finds it considerably more desirable
21 and positive for the surrounding community than a strictly for-
22 profit Matter-Of-Right development, which would otherwise likely
23 be developed on this site. And I'm available to take questions
24 on my statement or the ANC report.

25 CHAIRPERSON HOOD: Commissioner Campbell, let me just

1 say that your statement was one of the most objective statements.
2 You did your fact-finding. You tapped all the agency -- agencies
3 and, you know, and I, you know, pro or con, whatever side you're
4 on, I think you did -- you have done -- your Commission has done
5 its due diligence. So I appreciate your statement. But let me
6 ask, do we have that statement in the record?

7 COMMISSIONER CAMPBELL: That statement is not a part
8 of the record, but I'm happy to submit it.

9 CHAIRPERSON HOOD: You need to get that in the record,
10 please, because I think the objectivity of it and the -- what
11 you put behind it, I think, is very important to this case. And
12 not just important to the case, I think it's very important for
13 ANC, commissioners, and residents and even zoning commissioners,
14 us, to analyze what you've done. So I want to -- hats off to
15 you. Kudos.

16 COMMISSIONER CAMPBELL: Sure.

17 CHAIRPERSON HOOD: So anyway, let's see if we have any
18 questions or comments.

19 Commissioner May?

20 COMMISSIONER MAY: Mr. Chairman, I just want to
21 underscore what you said.

22 CHAIRPERSON HOOD: Yeah.

23 COMMISSIONER MAY: You know, I don't have any questions
24 about this, but I have to say, I mean, and I've been doing this
25 a very long time. I don't know, 18 years, something like that.

1 No, almost 18 years. And that was one of the most remarkable
2 ANC statements I have ever heard, because you were not focusing
3 necessarily on the pros and cons, but you were just describing
4 the process that you went through and the responsible way in
5 which you addressed the interests of the community that you are
6 representing. And, I mean, I just I found it really remarkable.
7 And I want to -- not only do I want to get a copy of this into
8 the record, I want to frame it. I mean, that was really good.
9 And, I mean, again, regardless of which direction this goes, I
10 think that, you know, you have -- you've done an excellent job
11 to serve your community and to communicate that to us in a really
12 concise way as well, which I -- which I also especially
13 appreciate. Because a lot of times we get lengthy testimony that
14 is quite repetitive, and that was not at all. I mean, that was
15 just really great. And I really appreciate it. Appreciate your
16 service.

17 And I do want to underscore one statement that you
18 made in there, which was the conclusion that you came to, that
19 there was no basis for the ANC to oppose the development. You
20 looked at all of the things that we have to evaluate. You looked
21 at what the PUD process is. You looked at the concerns of the
22 neighbors and came to the conclusion that there was no basis to
23 oppose it. And I think that that level of understanding of zoning
24 and the process and your role in the process is also remarkable.
25 And I really appreciate your statement about that.

1 So we will see where this goes with all of the
2 testimony. I'm not jumping to any conclusions, but that really
3 was remarkable, and I couldn't let it pass. And I'm not one to
4 dish out compliments. I think my fellow commissioners will
5 mention that and several lawyers as well. But that was really
6 good. So I appreciate it. Thank you.

7 COMMISSIONER CAMPBELL: Thank you, Commissioner May.

8 CHAIRPERSON HOOD: Okay. And Commissioner Imamura.

9 COMMISSIONER IMAMURA: Thank you, Mr. Chairman.

10 I don't think I could add to any of that other than
11 it's just thoughtfully written. So I appreciate that very much,
12 Mr. Campbell.

13 CHAIRPERSON HOOD: And Vice Chair Miller.

14 VICE CHAIR MILLER: Thank you, Mr. Chairman.

15 Yeah, I have nothing to add. I concur with my
16 colleagues' statements. And I thank Commissioner Campbell and
17 your ANC for all the hard work that you've done on this case;
18 all the engagement with the community and the applicant and
19 District agencies and all the work that you do generally for the
20 -- for your neighborhood and community. Thank you.

21 COMMISSIONER CAMPBELL: Thank you.

22 CHAIRPERSON HOOD: Okay. Mr. Utz, do you have any
23 cross of ANC?

24 MR. UTZ: We do not. Thank you.

25 CHAIRPERSON HOOD: Okay. Mr. Donohue, do you have any

1 cross of the ANC?

2 MR. DONOHUE: No, sir.

3 CHAIRPERSON HOOD: Okay.

4 Again, Commissioner Campbell, thank you for what -- all
5 -- for your testimony for sure and for all the work that you all
6 continuously do. So thank you.

7 COMMISSIONER CAMPBELL: Thank you, Chairman Hood.

8 CHAIRPERSON HOOD: Okay. Let me see -- I think I'm at
9 other government reports. We did have reports from DHCD, as
10 noted, D.C. Water, Fire Emergency Management and DOEE. And I
11 think we've covered all of the reports that have come in.

12 Let's move right along in our agenda. It looks like
13 we have possibly -- 7:30, I want to do a -- well, I'm sure my
14 colleagues we're -- does anybody object to us keep pushing? I
15 know -- it's only 7:30, but I mean, you know, we normally go to
16 10 or 11. But we're at home. I'm kind of looking at Commissioner
17 May and others.

18 COMMISSIONER MAY: Well, we started at 6:30, and we go
19 to 11 o'clock. We started at 6 o'clock.

20 CHAIRPERSON HOOD: Okay. Well, we'll see.

21 So when do we -- let me ask my colleagues. When do we
22 want to do an assessment? I'm not sure how the testimony is
23 going to go from -- and the parties, I'm not sure how that's
24 going to go. But we'll do another session, what, at 9 o'clock?

25 COMMISSIONER MAY: Well, I mean, I mean, let's see

1 where we are -- let's start the testimony. We're at persons in
2 support, right?

3 CHAIRPERSON HOOD: Yeah, we have persons in support,
4 and they we'll go to the party in opposition, and then persons
5 in opposition.

6 COMMISSIONER MAY: Yeah. So I mean I think that we
7 should try to get through the persons in support, if we can
8 possibly do that, and then assess from there.

9 CHAIRPERSON HOOD: Okay. We'll do another assessment
10 after we finish persons in support. So I know that I have been
11 given a list. And let me pull --

12 COMMISSIONER MAY: We've got 30 plus people who signed
13 up to testify in support.

14 CHAIRPERSON HOOD: Okay. I guess all I had --

15 COMMISSIONER MAY: So it's going to take a long time.

16 CHAIRPERSON HOOD: So let's bring up -- what can we
17 handle, Mr. Young? Let's bring up at least five at a time, and
18 we can probably take everybody else down, so we don't have any
19 delays or problems.

20 MS. SCHELLIN: Do you want me to call them?

21 CHAIRPERSON HOOD: Yeah, Ms. Schellin -- do -- we don't
22 have -- let me just ask. I'm looking at the list. Yeah, you
23 can them. That's all right.

24 MS. SCHELLIN: Okay. All right.

25 Alex Dodds, Tim Finley, Chase Kimball, Cheryl Cort, and

1 Carolina Hernandez.

2 CHAIRPERSON HOOD: Thank you, Ms. Schellin, for calling
3 names. I'll tell you, maybe a year or so ago, somebody tweeted
4 that Chairman Hood is messing up all the names.

5 MS. SCHELLIN: I'm sure I will before it's over. Do
6 we have five up there, or do I need to call one more?

7 MR. YOUNG: Can you repeat them again one more time?

8 MS. SCHELLIN: Sure.

9 Alex Dodds, Tim Finley, Chase Kimball, Cheryl Cort,
10 Carolina Hernandez.

11 Do you need another one?

12 MR. YOUNG: Yeah.

13 CHAIRPERSON HOOD: It looks like we have three -- two
14 up. I don't --

15 MS. SCHELLIN: Okay.

16 CHAIRPERSON HOOD: No, three. Three. We need two.

17 MR. YOUNG: I don't see Tim Finley or Chase Campbell.

18 MS. SCHELLIN: Okay. How about Gabriel Mata, M-A-T-A,
19 and Jared Lang?

20 CHAIRPERSON HOOD: Okay. Let's go ahead. Start with
21 what we have. Thank you, Ms. Schellin.

22 MS. SCHELLIN: Sure.

23 CHAIRPERSON HOOD: Let's start with Ms. Dodds.

24 Ms. Dodds, you may begin.

25 MS. DODDS: Thank you so much, Commissioner Hood. My

1 name is Alex Dodds. Thank you so much for your time this evening.
2 My name is Alex Dodds. I'm a resident of 4C03. I live on the
3 1500 Block of Buchanan Street. And some of the photos we saw
4 earlier in the presentation are from the corner of my block. I'm
5 also the vice chair of the 16th Street Neighborhood Association
6 and appreciate this opportunity.

7 I'm here to express my support for approving this
8 project. And before anything else, Commissioner Campbell, I want
9 to say thank you for your leadership over the last year and your
10 thoughtful remarks just now.

11 Members of the Zoning Commission, I probably don't need
12 to go over the details of the project with you, but quickly,
13 you've already heard that this project sets aside 66 percent of
14 its units as affordable, with a third at the 30 percent AMI level.
15 It will also create three-bedroom units for families, which are
16 so needed and so rare. And the project will do all of this while
17 centering a community-based arts center. And as a resident, of
18 4C03, I'm here to say that those things are important, and they
19 matter to me and are part of what I want our community to grow
20 towards in the future.

21 My views on this are informed by the experiences of my
22 little sister. She works here in D.C. as an early childhood
23 educator -- and happy Teacher Appreciation Week to any teachers
24 who are listening this evening. My sister is also neurodiverse,
25 and together those things mean that her income is low enough that

1 she qualifies for affordable housing pretty easily. We helped
2 her through the process of applying for the housing lottery a few
3 years ago, but it got clear very fast that our family would likely
4 wait for years before she would ever be able to get a unit. And
5 this is something that thousands of families in D.C. go through
6 every day right now, year over year. That experience was really
7 instructive to me and informs my support for this project.

8 Several of my neighbors are on the call this evening
9 who oppose the project, mostly because of its size. And I respect
10 their right to voice their perspective. And I acknowledge that
11 the size of this building will be significantly different than
12 what's there now. However, as someone who lives in the community,
13 if I had to choose between a large building with affordable
14 housing and community arts, or a smaller building without either
15 of those, I choose the former. Like many communities, D.C. has
16 a pattern of well-resourced homeowners hiring lawyers and
17 exerting their influence to block affordable housing, and I
18 sincerely hope that our community does not come to be defined as
19 the latest instance in that trend.

20 I've had a lot of conversations with many of my
21 neighbors over the years who also support the project, and several
22 of them are on the call tonight. This building is on a commercial
23 corridor with excellent bus service that connects to the Metro,
24 and it's the type of development that we should support, if we
25 want to make our community more affordable for more people. I

1 hope that that's the consideration that you hold as most important
2 as you decide whether or not to approve the project.

3 In my view, our community would be lucky to be able to
4 someday say that this building is part of what makes our
5 neighborhood great. And I want to thank everyone again for taking
6 the time for this opportunity to testify and for your
7 consideration of this project.

8 CHAIRPERSON HOOD: Great. Thank you.

9 Ms. Cort? Next. Ms. Cort.

10 MS. CORT: Thank you, Chairman Hood, and members of
11 the Commission. My name is Cheryl Cort. Can you hear me okay?

12 CHAIRPERSON HOOD: Maybe if you can speak a little
13 louder so we can.

14 MS. CORT: Okay, sorry. I had --

15 CHAIRPERSON HOOD: There you go. There you go.

16 MS. CORT: Okay. I'm Cheryl Court with the Coalition
17 for Smarter Growth, and we -- we're the leading nonprofit in the
18 D.C. region advocating for walkable, bikeable, inclusive, and
19 transit-oriented communities as the most sustainable and
20 equitable way for the Washington region to grow and provide
21 opportunities for all.

22 We wish to express our strong support for this planned
23 unit development. This is an exceptional project in all respects.
24 The proposal uses the HUD process to carefully redevelop the site
25 into the 101 apartments that we've discussed, along with an

1 enhanced community arts venue and maintaining shops along 14th
2 -- the 14th Street frontage. This project, in terms of scale
3 and use, is supported by the Small Area Plan, the Future Land
4 Use Map, and the Comprehensive Plan, something that we invested
5 a lot of time in to get right. We appreciate that this proposal
6 really stands out in terms of its contribution of affordable
7 housing and racial equity goals that we were able to get into
8 the Comprehensive Plan, especially by offering deeply-affordable
9 rental homes and family-sized rental homes for low-income
10 families. This is -- these are impressive contributions that
11 will largely benefit people of color, filling -- fulfilling the
12 Comprehensive Plan's demand that all zoning actions be viewed
13 through a racial equity lens.

14 And also, I -- Chairman, I wanted to commend the
15 advancement of the Racial Equity Lens Tool that is now posted.
16 I just took a look at it and excited to work with that. So we'll
17 definitely want to give you feedback on that. Thank you very
18 much.

19 You know this -- we -- the presentation has sort of
20 highlighted the important features of this project. We just want
21 to say, you know, I've been working on this stuff for a long
22 time. You've seen me before at the Zoning Commission, and we
23 are really impressed with the level of public benefit offered in
24 this proposal and how it is elevated and fulfilling what we sought
25 out in our update to the Comprehensive Plan. And so, we think

1 it's a great location, and it's in an area that does have a
2 deficit of affordable housing. And if you look at my testimony,
3 which is much more detailed, the last page I actually show a
4 national study done on displacement that ranked D.C. as number
5 one in terms of displacing low-income residents. And you'll see
6 that the census tract that this project is in is just north of a
7 major displacement corridor, really. And so, we view this as an
8 important way to stop displacement and to ensure that we are
9 permanently providing affordable homes for D.C. residents and
10 D.C. families.

11 And lastly, I'll note that, you know, this is -- it's
12 not that close to a Metro station, though it's not that far away.
13 But it is on top of the 14th Street bus priority corridor, and
14 it is two blocks away from the 16th Street bus priority corridor,
15 which as of, I think, just this week, has started to implement
16 rush hour bus lanes. And so, this is -- and then also it's served
17 by Capital Bikeshare and bicycle lanes. So we think this is
18 actually a terrific location that provides a lot of accessibility
19 for the families and households that would like to live here.
20 Thank you.

21 CHAIRPERSON HOOD: Thank you, Ms. Cort.

22 Let's move on. The next, I think, it's Ms. Hernandez.

23 MS. HERNANDEZ: Hello. I'm Carolina Hernandez. Thank
24 you so much for opening this space. I've been a part of D.C.
25 community since 2016. I have the fortune to teach to kids in

1 D.C. public schools through Dance Loft. We teach a bilingual
2 dance program. And I believe that this building is very
3 important. I've seen many Latino families that can't afford a
4 house, or they have to live a lot of people in the same space in
5 order to live in the city. So it is very important to support
6 affordable housing for the minorities. I speak as one of them.

7 In 2018, I was looking with my husband a way to live
8 in D.C., but I couldn't make it, because we didn't have the
9 affordability for an apartment with, like, some little less
10 space. So we couldn't. We were finding apartments where like
11 \$2,000 for no -- just without room, just a studio, and we couldn't
12 afford something bigger. So I believe some people even wouldn't
13 be able to afford smaller spaces in the city.

14 I'm very happy to be part of this community that is
15 supporting the kids. I believe it's important to keep Dance Loft
16 in the area for the bilingual dance program, for the youth
17 programs, and also because arts -- kids growing with arts is
18 important for their development. And I'm saying -- I'm speaking
19 as someone that grew up with arts, and also I'm speaking as
20 someone that all the time is working with three- four- and five-
21 years-old kids in D.C. public schools.

22 So thank you so much for this opportunity, and I hope
23 we can keep affordability for people and also we can keep arts
24 for kids.

25 CHAIRPERSON HOOD: Thank you.

1 Next, let's go to Mr. Gabriel Mata. Hopefully, I
2 pronounced that right. I'm sure -- if not, I'm sure somebody
3 will tweet it.

4 MR. MATA: Thank you. Thank you. Just want to make
5 sure I can be heard.

6 CHAIRPERSON HOOD: Yes.

7 MR. MATA: Great. Thank you so much. Hola everyone,
8 members of the Commission. I am Gabriel Mata. I live in Ward
9 4. I've been in the area for about five years now, and I'm a
10 local working, independent artist, also a choreographer/
11 performer, and I am one of Dance Loft's Social Justice
12 Commissioned artist. Ever since I've been in D.C., my first
13 connection to dance was with Dance Loft on 14, and they have
14 allowed me to expand and know more of the broader community. And
15 sometimes it can get hard if you are new and have no connections.
16 And so, Diana and the rest of the group and Dance Loft have been
17 there and continue to be there in support of my work, but also
18 in allowing me to access other positions, such as videographer,
19 research into photography, dramaturgy. And it's those -- that --
20 - those developing traits that I have worked on since the pandemic
21 has deviated my trajectory in the arts.

22 The impact of COVID has, in the spaces of performing
23 artists who need to be in spaces, enclosed spaces, theaters and
24 such, that has been into question about how even our value as
25 artists and community. And so, to know that Dance Loft has been

1 there through and through has been what has kept me in my
2 developing trajectory. While there are other arts organizations
3 and dance, it has been Dance Loft on 14 that focuses on local
4 dance artists, positions of creation and teaching and even
5 collaboration. And I fully express our support as the arts
6 economy is developing, and even in the city's own arts and culture
7 identity.

8 It's -- in comparison to the Kennedy Center, I just
9 -- I would just go back and refer to that. Unlike the Kennedy
10 Center, Dance Loft on 14 focuses on local artists, and it really
11 hones in on those talents. Also, the feasibility rates of studio
12 reservations, not every arts organization here offers the spaces
13 conducive for dance and at the rates that they have. And the
14 last thing I will say is that I can only imagine the kind of work
15 and presentations that I and other artists will be able to present
16 and developing in future space that can be made possible. Thank
17 you, everyone.

18 CHAIRPERSON HOOD: Thank you.

19 Let's go to Mr. Lang.

20 MR. LANG: Hello. I'm Jared Lang. I'm a resident at
21 1409 Buchanan Street, which is just the property -- the furniture
22 store is directly behind my house. I apologize for not being
23 more engaged in this process. I have, like, young kids and --
24 but I can see now that it's crunch time, and I just wanted to
25 make sure that I came out and said that, you know, I'm really

1 excited about this. You know, they're right, finding three-
2 bedroom affordable units is incredibly hard to find. The city
3 needs more affordable housing. So, like, we got to put our money
4 where our mouth is. And this neighborhood is super lucky to have
5 the Dance Loft. So I just, like, you know, it's an -- I didn't
6 realize it was even here when I moved here, and then I learned
7 about it. It's like a really cool amenity to have nearby.

8 You know, I just want to -- and people don't think
9 about this. A lot of residents don't think about this. But I
10 want, you know, we should talk about how this is like a
11 particularly challenging site for other developers. You know,
12 Heleos is coming in, and they're going to -- they're trying to
13 do something great here with a pretty challenging site. You
14 know, the construction is going to be hard. It's going to be
15 hard for me. It's going to be hard for the community. It's
16 going to be hard for Heleos. But I think it's worth it. I'm
17 excited.

18 We're going to have, you know, what, a year, year and
19 a half of like difficulty. But, you know, it's going to be short
20 term pain for long term gain. And, you know, I'm tired of, like,
21 I live where the parking lot would be, where the parking deck is
22 going to be and where the furniture store has their back, like,
23 alley area, and, like, I'm tired of people using it as a toilet,
24 and, you know, thinking they can, like, loiter there. And when
25 they build this building, they're not going to be doing that.

1 And, you know, I just I'm pretty convinced that this is going to
2 increase my property values, even though there's a big building
3 that's going to be right behind my house. It's still going to
4 be a lot nicer than a furniture store. So thanks to Moveius,
5 thanks Dance Loft. Thanks, Heleos. Like, let's go get 'em.

6 CHAIRPERSON HOOD: Okay. Thank you. Let me thank each
7 and every one of you for your different perspectives and your
8 testimony.

9 Let's see if we have any questions of anyone on this
10 panel.

11 Commissioner May.

12 COMMISSIONER MAY: No, I do not.

13 Okay. Commissioner Imamura, do you have any questions?

14 COMMISSIONER IMAMURA: No.

15 Thank you all for your testimony.

16 CHAIRPERSON HOOD: And Vice Chair Miller, any
17 questions?

18 VICE CHAIR MILLER: No.

19 Thank you all for your testimony.

20 CHAIRPERSON HOOD: I don't have any questions as well.

21 Let's see if the applicant has any questions.

22 MR. UTZ: We do not, thank you.

23 CHAIRPERSON HOOD: Does the ANC?

24 Commissioner Campbell, you have any questions?

25 COMMISSIONER CAMPBELL: I do not. Thank you.

1 CHAIRPERSON HOOD: Okay.

2 And Mr. Donohue --

3 MR. DONOHUE: No, sir.

4 CHAIRPERSON HOOD: -- do you have any questions? No
5 questions. Okay.

6 So thank you all very much. Appreciate your testimony.

7 And, Ms. Schellin, if you could call the next --

8 MS. SCHELLIN: Yep.

9 CHAIRPERSON HOOD: -- five.

10 MS. SCHELLIN Maria Barry, Bennett Hilley, Taalib-Din
11 Uqdah, Miya Hisaka, David Matto, Sarah Lewitus, Alex Baca?

12 Mr. Young, can you tell me how many?

13 CHAIRPERSON HOOD: It takes him a minute. I think you
14 called more than five. But let's give him a moment. Did you
15 call five, Ms. Schellin? I think you called about six or seven,
16 didn't you?

17 MS. SCHELLIN: I think two of them were not --

18 CHAIRPERSON HOOD: Oh.

19 MS. SCHELLIN: We checked ahead of time, and two were
20 not --

21 CHAIRPERSON HOOD: Oh, okay. Okay.

22 All right, so I guess we can get started.

23 We'll start with Maria Barry, I think is next.

24 Ms. Barry, you may begin.

25 MS. BARRY: Thank you so much.

1 Good evening, Commissioners. Thank you for allowing
2 me this time to give my testimony. My name is Maria Barry. I
3 live here in 16th Street Heights. I actually moved here in 2001
4 to move in with my then boyfriend, my now husband, who moved here
5 to the neighborhood in 1994. We actually love our neighborhood
6 so much that we own two houses in this neighborhood. We were
7 lucky to have them be at affordable prices back in 1994.

8 I'm speaking today on behalf of myself as Maria Barry.
9 But I also wanted to let you know that I am part of ANC 4C and
10 represent ANC 4C02, which shares the SMD boundary that
11 Commissioner Campbell has worked on so diligently. But I'm here
12 as a longtime neighbor.

13 I've had the opportunity to witness nearly every public
14 meeting over the past year, and I want to confirm the ANC's
15 enthusiastic support, but also my individual support.

16 As others have stated, I want to -- very much compliment
17 Commissioner Campbell for going above and beyond, thoroughly
18 exploring every issue raised with each agency, raising and
19 vetting every question posed by neighbors, and holding multiple
20 meetings with the full ANC and more at the single-member district
21 level. Again, I attended either 17 or 18 out of the 19 or 20
22 meetings that were held, and I just wanted to say that that
23 devotion was no small feat. And I was part of that, too. And
24 it was often there was times where those meetings were not always
25 a -- maintained a tone of civility. There were many false

1 accusations tracking the listservs, there was name-calling, and
2 there was often even worse from some of the opponents. It was a
3 little dark for me to go through that process. I've worked on
4 the ANC for many years, and even in pretty contentious projects
5 that we faced, this one just hit me really, really hard. But
6 again, I want to commend Commissioner Campbell.

7 There was a very extensive engagement process that has
8 led to multiple concessions or additions, and the project has
9 changed as we've gone over that. And, ultimately, it's getting
10 better as a result of that dialog. It really pains me when I
11 hear that some people feel that they hadn't known about the
12 project, or they were given that opportunity to speak, again,
13 because I was there at all of those. Many neighbors have also
14 been misled by often incorrect information that's not vetted;
15 diagrams that were circulated, dimensions that were out of
16 proportion, and things that got posted on the listserv.

17 We don't have one central communication tool for our
18 neighborhood. I live in a part that's not bounded by the 16th
19 Street Neighborhood Association. And so, there were many, many
20 people, many neighbors who are in absolute support of this project
21 here in 16th Street Heights, in the ANC 4C, but we are not part
22 of any actual specific communication tool, so it was hard to get
23 that good information.

24 None of the opponents over the course of more than a
25 year of intense engagement ever said how do we make affordable

1 housing work here? I often heard that people said they agreed
2 with affordable housing, but that reducing the size of the
3 building was the only way that they would want to see the housing.
4 And there was a misunderstanding and not an understanding. I'm
5 not a housing expert, but there is a lack of understanding of
6 how affordable housing can be built, what financing tools need
7 to be in place, and how we can actually make this project a
8 reality.

9 I want to confirm that there is absolute widespread
10 support in the neighborhood. I've read hundreds and hundreds of
11 letters, as I'm sure everyone else has as an ANC commissioner,
12 but also as you as zoning commissioners. There's widespread
13 support in the neighborhood and the city and in Ward 4, in part,
14 because the changes that have occurred and notwithstanding the
15 small group in opposition. This project is consistent with the
16 Comprehensive Plan and the Small Area Plan, which I was working
17 on back over ten years ago and is contextually appropriate. Some
18 in the community wanted more density actually to allow for more
19 affordable housing units and support the retail corridor.

20 I love 16th Street Heights. I love my neighbors, I
21 love my neighborhood, and I want to -- I want us to be able to
22 share what we have, which is so special in 16th Street Heights
23 with more neighbors. We have a beautiful community, one that I
24 call my village, and I would love more residents to be able to
25 experience that. I just wanted to also note that I'm also really

1 excited about the green elements of the project. I don't want
2 that to go unnoticed. That's really important as a value for my
3 family. My husband has been in the environmental movement for
4 over 35 years, and he actually coined the phrase that we use
5 often. And when possible, when zoning allows, we like to say
6 manifest density. Density matters. It's how we can get to scale.
7 It's how we can do affordable projects and mixed-use projects
8 that make sense for the neighborhood. I, for one, welcome this,
9 and I strongly encourage you to support it at its exact moment
10 in time. So thank you so much.

11 CHAIRPERSON HOOD: Thank you so much, Ms. Barry.

12 Let's see who's next. I think it's Mr. Taalib-Din
13 Uqdah. And if I mispronounced that, correct me, please.

14 MR. UQDAH: You announced it exactly right. My name
15 is Taalib-Din Uqdah. I'm a native Washingtonian. I'm also the
16 founder and president of the 14th Street Uptown Business
17 Association, and we are in support of this project.

18 I would tell both the supporters and the opponents, if
19 you want to blame anyone for this project, you can blame me. I
20 was the one responsible in 2009 in going before then Councilwoman
21 Muriel Bowser and asking her, in the expansion of the Kennedy
22 Street Project, if she would also consider expanding 14th Street
23 to be included in that process as an amendment. I wrote the
24 amendment out for her. It was accepted, and over the objections
25 of the Office of Planning and DMPAD, 14th Street was included.

1 And in 2009, I believe, they began -- once it was approved in
2 2009, in 2010 through 2011, the Office of Planning helped to put
3 together the Small Area Plan for the 14th Street corridor. It
4 included the vision of what we are now presented with today,
5 that is this Dance Loft/Heleos project. It was in the Small Area
6 Plan. There were no fewer than 10 meetings. There was public
7 comment, there was a mayoral hearing that was held, and by July of
8 2012, that Small Area Plan was approved.

9 We are supportive of this project, because it is a
10 clear example of a rising tide will lift all boats. In addition
11 to the FLUM, Future Land Use Area Map, not only does it include
12 the Dance Loft project, but it also includes the rest of the 46
13 and 4700 blocks of 14th Street. And in the interest of full
14 disclosure, I own the building at the corner of 14th and
15 Crittenden. I also own another property seven blocks north,
16 which is also commercial, where I live at the corner of 14th and
17 Jefferson Street. I've lived in Ward 4 since 1980, and this for
18 me and the organization is a dream come true.

19 I thank you very much, and I will remain online for any
20 questions.

21 CHAIRPERSON HOOD: Okay, thank you.

22 Let's move on. I've missed a name, Bennett Hilley. I
23 think I skipped over you, so I apologize. Bennett Hilley.

24 MS. HILLEY: Yes, I'm here, Chairman Hood.

25 CHAIRPERSON HOOD: Okay.

1 MS. HILLEY: And I apologize. I'm calling from the
2 trains, so I'm not going to go on video or talk for too long.
3 But I like the two people who have spoken before me. I'm actually
4 -- well, I know Maria, as a current chair currently on the ANC,
5 but I'm a former ANC chairman. I live and my family lives in
6 ANC 4C. I'm a supporter of this project for so many of the
7 reasons that have already been stated by the others on this call.
8 Dance Loft will be an amazing anchor (audio interference). Ward
9 4 does not have enough deeply-affordable units. And as we've all
10 been talking about, residents are getting displaced from our
11 neighborhood, because there are not deeply-affordable, family-
12 sized units.

13 I know a lot of the immediate neighbors are opposed to
14 this development. They want to see affordable housing, but they
15 -- I actually work in affordable housing finance, and I think the
16 idea that you can shrink a development and still necessarily make
17 it work with the types of financing that affordable housing deals
18 need, such as low-income housing tax credits, just shows not an
19 understanding of how affordable housing is financed. If we don't
20 want affordable housing on major commercial corridors with great
21 connection to transit, then exactly where do Ward 4 residents
22 want it? So I just want to say I'm here for support, and thank
23 you very much. And also just thank you to Commissioner Campbell
24 for all of his hard work and his dedication.

25 CHAIRPERSON HOOD: Right. Thank you.

1 Let's go to Miya. I'll see her on the slide. I'm
2 sure Ms. Schellin's already went over that name. But Miya Hisaka.

3 But let's go to David Matto Ribeiro.

4 MR. RIBEIRO: Hello. Hi, this is David. Well, I'm a
5 currently Baltimore resident who has been trying to move to D.C.,
6 but have not found any affordable options that allow me to live
7 in D.C. Finding a house has been very difficult and a very
8 exhausting task. All the options I've found are very far from
9 D.C. and far from my work and from my dreams. I'm an architect
10 by training who has a small business/dancing company, who has
11 been trying to grow the dancing community in D.C., including
12 bachata, salsa, and all these Latin rhythms from smaller
13 communities.

14 Before starting the events, I did a lot of research,
15 and -- in trying to find a studio that could offer us affordable
16 and reasonable prices to do these events and grow the community.
17 That has been taking so much time off of me, but it's sort of
18 like a dream now. And the only option that I found was Dance
19 Loft on 14. Dance Loft on 14 has definitely been a great help
20 for us, has been helping us and promoting us, has been helping
21 us on growing the community. And I want to do anything that's
22 possible to keep them in business so they can still provide their
23 spaces that I often use at very affordable prices. I'm talking
24 about the mixed-use residence and all of that. Also that could
25 help artists and people that are growing companies that are trying

1 to make the D.C. community better. This could definitely be a
2 product that can help the community, that can help the people,
3 and at the same time could also allow other people to -- and to
4 have different talents to be exposed in this community, and
5 definitely I completely agree with their ideas. And I believe
6 that this could someday happen. Thank you so much.

7 CHAIRPERSON HOOD: Okay, thank you. Let's go to
8 Alex Baca. Hopefully, I pronounced that correctly.

9 MR. BACA: You got it. Thank you, Commissioner Hood.
10 Good evening. My name is Alex Baca, and I serve as
11 D.C. policy director for Greater Greater Washington. We
12 unequivocally support Dance Loft's proposed project. Our only
13 wish is that it were taller, bigger, denser, and had less parking.
14 It is still a fantastic project that is not inconsistent with the
15 Comprehensive Plan, and it deserves approval so much so that
16 GGWash has broken its own rule of not organizing our supporters
17 around individual projects for us to support it. I will discuss
18 that in more detail later.

19 First, in our interpretation, the change from MU-3 to
20 MU-5 zoning that Dance Loft is requesting is compliant with what
21 the FLUM defines as allowable under a moderate density
22 residential designation. You might say that I'm in a developer's
23 pocket, if I agree with that. And I would tell you that an
24 MU-5 designation would allow up to a 5.0 FAR, which is enormously
25 more than a 1.8 FAR. I find that this also is compliant with a

1 moderate density commercial designation. This is laid out more
2 in detail in written testimony that I did not submit 24 hours in
3 advance of this hearing. I appreciate your patience. But suffice
4 to say that, you know, I think everyone can look at the documents
5 and determine that what Dance Loft is proposing is in compliance
6 and is not consistent -- inconsistent with the Comprehensive
7 Plan. I'm glad that others have brought up the 2012 Small Area
8 Plan for Central 14th Street, which, as noted, identifies a
9 building that's pretty much what Dance Loft is proposing.

10 I would take that further and say that whether some
11 nearby residents like it very much or not, Dance Loft's proposal
12 is very much the character of the neighborhood. The District
13 said as much nearly 10 years ago. I think that those opposing
14 the project have made it clear that they will not be satisfied
15 by a smaller building or less intrusion in the alley or a
16 different facade or more parking or extensive support for local
17 businesses.

18 What I want to focus on is that I spent over three
19 years advocating for the Comp Plan to allow for greater density
20 districtwide, but most particularly in affluent neighborhoods.
21 I will continue to do so when the Comp Plan is rewritten in 2025.

22 I would say that Central 14th Street, where single
23 family homes routinely sell for over \$1,000,000, is an affluent
24 neighborhood. Changes to the FLUM, which were not thought to be
25 possible at the beginning of the amendment process, made greater

1 density illegal in more places than before, and I'm proud of
2 those changes. I'm also proud of what GGWash worked hard to get
3 into and keep in the framework; uber benefits that elevate, among
4 other affordability and anti-displacement policies, the
5 production of new, affordable housing units above and beyond
6 existing legal requirements and the approval of PUDs.

7 At least 67 of the 101 units in this project will be
8 subsidized means tested homes, thereby meeting the Office of
9 Planning's definition of affordable housing as stated in the
10 Housing Framework for Equity and Growth and going well beyond
11 what would be required by existing legal requirements. According
12 to the District's own goals for affordable housing production,
13 1500 -- 1500 units of subsidized means tested homes need to be
14 built in Rock Creek East by 2025. Six hundred and seventeen have
15 been built so far. I didn't work on the framework with the Dance
16 Loft project in mind, because it didn't exist then. This was
17 2019. But I did work on the framework so that projects like
18 Dance Loft would be confirmed by the Zoning Commission and with
19 more confidence and with more grounding in the Comp Plan.

20 Litigation against many PUDs has rested on the
21 assertion that the Zoning Commission fudged the difference
22 between moderate and medium density or simply accepted
23 developers' arguments at face value. The amended Comp Plan is
24 not, in my opinion, different enough from the original 2006 plan,
25 but it is different. I worked directly on refining the uber

1 benefits language I cited above, and can tell you that it was,
2 at least in my intent, to give you all on the Commission a better,
3 clearer, and more direct mandate to approve projects that
4 proposed an exceptional amount of affordable housing like, say,
5 at least 67 units -- 67 out of 101 units restricted to residents
6 making 30 to 60 percent AMI.

7 As I noted, GGWash no longer organizes its supporters
8 around individual projects, focusing our advocacy instead on
9 changing districtwide systems with the intent that all projects
10 contain the characteristics, like greater density, more
11 subsidized means tested affordable housing, less parking, reduced
12 minimum lot sizes, and so on that we value. But I organized our
13 supporters who live in ANC 4C to contact their commissioners to
14 support this project in advance of the ANC's vote. I wanted to
15 make sure that any assertion that the community was not in support
16 could be reasonably countered, knowing, of course, that the
17 community here is really, really not defined. But the more
18 pressing reason that I went beyond my maximum of not advocating
19 for individual projects, is because the Dance Loft project
20 represents something bigger than itself with regard to the
21 District's development processes. If this project is not
22 approved, I see little point in the practice of planning. If
23 the Zoning Commission would happen to reject a project that
24 complies with the FLUM and Generalized Policy Map, delivers the
25 PUD benefits the Comp Plan highlights as most important, and

1 almost exactly matches the recommendation of the Small Area Plan,
2 then truly, why bother?

3 Ultimately, the Zoning Commission shouldn't actually
4 need to hear from me, from GGWash, from the Ward 4 residents we
5 know, or from even Councilmember Lewis George, who voted twice
6 to confirm amendments to the Comp Plan, to decide that the Dance
7 Loft's project is not inconsistent with it. We showed our support
8 for more density and more affordable housing as a result of that
9 density, by working to amend the Comp Plan in ways that were
10 available to us, by testifying and negotiating with the executive
11 and council staff, by contacting elected officials, by voting on
12 the dais. In short, we've done the work that we can do for the
13 Zoning Commission already. Approval is up to you, and I hope
14 that's what you do for this project. Thank you so much.

15 CHAIRPERSON HOOD: Okay. Thank you.

16 Ms. Schellin, if you could help me, I -- I was seeing
17 Ms. Miya Hisaka's name flash and then it would go off. So I'm
18 not sure where we are. But, anyway, let me move on. And you
19 -- I guess we can bring them up at the next panel.

20 Let's see if the applicant -- do you have any -- and
21 let me -- my colleagues, do you have any questions or comments,
22 Commissioner May. You're on mute. Believe it or not, I would
23 like for you to unmute so I could hear you. Believe it or not.

24 COMMISSIONER MAY: I was just saying I don't have any
25 comment, so I think my computer already knew that.

1 CHAIRPERSON HOOD: Oh, okay.

2 All right, Commissioner Imamura.

3 COMMISSIONER IMAMURA: I have no comments, Mr.
4 Chairman. It's nice to hear all the testimony and support that
5 the neighbors or residents have given to Commissioner Campbell
6 for the great job there that he's been doing for his neighborhood.

7 CHAIRPERSON HOOD: And Vice Chairman Miller.

8 VICE CHAIR MILLER: I have no questions. Thank you.

9 Thank each of you for your thoughtful testimony.

10 CHAIRPERSON HOOD: I would disagree with my -- agree
11 with my colleagues, not disagree. I would agree with my
12 colleagues with your testimony. I think everyone brings a
13 different spin, those who are helping us. And, Mr. Uqdah, I
14 appreciate you accepting the blame, but I'm sure we're going to
15 get it. So thank you always.

16 MR. UQDAH: Yes.

17 CHAIRPERSON HOOD: Let me see if they have any
18 questions. Does the applicant? Mr. Utz?

19 MR. UTZ: We do not, but thank you.

20 CHAIRPERSON HOOD: Okay. Commissioner Campbell, you
21 have any questions of this panel?

22 COMMISSIONER CAMPBELL: No, sir. Thank you.

23 CHAIRPERSON HOOD: And Mr. Donohue?

24 MR. DONOHUE: No, sir.

25 CHAIRPERSON HOOD: Okay. Thank you all very much. Ms.

1 Schellin, if we can bring the next panel up?

2 MS. SCHELLIN: Yes. Ms. Hisaka was a name that I
3 called, but she was not here.

4 CHAIRPERSON HOOD: All right then.

5 MS. SCHELLIN: So we'll move on to the next list.
6 Alberto Rivera --

7 CHAIRPERSON HOOD: I will say this. I will say this,
8 Ms. Schellin. I kept seeing the name Miya Hisaka, but it kept
9 flashing.

10 MS. SCHELLIN: Oh. No, it --

11 CHAIRPERSON HOOD: Yeah, let's check on that so we
12 won't have any problems later on. Let's check on that.

13 MS. SCHELLIN: Yeah, we've checked. She was not there.

14 CHAIRPERSON HOOD: Oh, okay. All right.

15 MS. SCHELLIN: He did not bring her up.

16 Okay, so Alberto Rivera, Dionne Calhoun, Mr. -- I
17 believe it's a Mr. Shrago (phonetic) is not here. Alexandra
18 Tracy. That's one, two, three. Marina Malomud (phonetic) is not
19 here. Patrick McKinney is not here. Katherine Cain. We did
20 see her. Edwin Gualana was not present. Jordan Friend (phonetic)
21 is not present. Jordan Dardi (phonetic) is not here. Thomas
22 Pipkin, I believe that makes five.

23 CHAIRPERSON HOOD: Okay.

24 Let's get started with the first person.
25 Alberto Riviera, you may begin.

1 MR. RIVERA: Rivera. But, hi.

2 CHAIRPERSON HOOD: Rivera. Rivera. I'm sorry.

3 MR. RIVERA: Good evening, everyone. My name is
4 Alberto Rivera, and I'm a resident of 4C03. Party status is
5 afforded to those who can clearly demonstrate that their interest
6 will be uniquely affected. That is laudable and proper. However,
7 I wish to speak tonight about those who cannot speak tonight,
8 those impacted because they don't yet have the opportunity to
9 live here. Those who want to live in 16th Street Heights, a safe
10 place to raise children, a place with green spaces, parks,
11 playgrounds and pools and with excellent schools. But they did
12 not buy here 20 years ago, and they, today, cannot afford million-
13 dollar homes. These are the voices that need to be heard in
14 these deliberations and that need to be considered.

15 In 2019, the Mayor's office issued two notable reports,
16 the assessment of the need of large units in the District of
17 Columbia and the Housing Equity Report. The former found that
18 large units, housing units consisting of three-plus bedrooms, are
19 largely in single-family homes, especially in Ward 4. They're
20 like the ones that I live in and most of the opposition lives
21 in. Seventy-five percent of these large units are owner-occupied
22 single-family homes, which is to say that to live there, one must
23 purchase, one must buy. There -- there is a dearth of large
24 units and multi-family apartments available in the city and even
25 less at affordable designations, which is to say nothing of deeply

1 affordable designations.

2 The Housing Equity Report found the same, "Securing
3 affordable family-sized units is increasingly difficult for low-
4 income families with four or more people. It also focuses on
5 the fact that equity and equitable housing is profoundly
6 important to take into consideration, "where people can afford
7 and are able to live affects not only their quality of life, but
8 also life expectancy, economic opportunity," and the report
9 continues, "Low income children living in high-opportunity areas,
10 16th Street Heights, are more likely to perform better in other
11 in their classrooms and academic tests compared to their peers
12 in high-poverty areas. These benefits accrue as life progresses,
13 as these children are more likely to attend college and have
14 increased lifetime earnings."

15 I stress this because these are the voices, the
16 opportunities, and the neighbors who are not being heard. These
17 are the people that should be living in my community. These are
18 the people that I want to attend the same school as my daughter
19 attends. These are the people that need to be taken into
20 consideration, because the future of our neighborhood, ward, and
21 city becomes increasingly unattainable to more and more people.
22 Quoting from the Mayor's Housing Equity Report, "In this
23 environment, the supply of rental units in the District that are
24 affordable to residents earning less than 60 percent MFI is
25 increasingly threatened." Without denser housing, without more

1 affordable housing, the city becomes increasingly unattainable
2 to more people. D.C.'s Comprehensive Plan takes this into
3 consideration, as Alex Baca said. The Future Land Use Map does
4 as well for this specific parcel.

5 And for those reasons, I urge this board to grant this
6 project the consolidated the PUD it's seeking. Thank you.

7 CHAIRPERSON HOOD: Thank you for your testimony. Thank
8 you.

9 Dionne Calhoun. A familiar face. You may begin.

10 MS. CALHOUN: Thank you. Thank you. Greetings, Mr.
11 Chairman Hood and Commissioner May. Today, I am pleased to
12 testify before the Zoning Commission in support of a visionary
13 new home for Dance Loft on 14 and the community. I am
14 Dionne Johnson Calhoun, a native Washingtonian, Ward 4 resident,
15 and the proud owner, visionary and founder of DancerFit. I am
16 also a performing artist and instructor at the Dance Loft. I
17 have occupied little rental at the Dance Loft since 2019, before
18 the global COVID-19 pandemic changed our normal way of living.

19 DancerFit's mission and vision is to empower women and
20 girls to transform their lives, to dance fitness. Additionally,
21 we educate on the importance of developing and maintaining a
22 healthy lifestyle. We were nominated and voted the Best of D.C.
23 Dance Company in arts and entertainment by the reader's choice
24 of the Washington City Paper and the community.

25 In 2020, when businesses closed due to the pandemic,

1 Dance Loft remained in business. My company was able to remain
2 home at Dance Loft. We were quickly able to adjust. We were
3 quickly able to expand our operations virtually across the globe
4 and in person while acquiring space at Dance Loft. Additionally,
5 we were able to create new, innovative, and engaging content and
6 attract a new audience by using the dance studios at Dance Loft.

7 With over 38 years of experience in the performing arts
8 industry, I am a strong proponent of the vibrant and thriving
9 arts community having access to resources, representation, and a
10 safe space to create. We have heard the model that dance is
11 life. Well, it is life for creators and artists who live for
12 their art, who minister through their art, and, more importantly,
13 have major impact on the community through their art. Dance Loft
14 provides us artists, just like me, the opportunity to do what we
15 love and to make a difference in the community.

16 I marvel at the youth that enter the doors at Dance
17 Loft to learn level one beginner ballet. I am impressed with
18 the community programming, such as Dance Loft's Youth Spring
19 Concert, their intermediate and advanced contemporary and hip-
20 hop classes. And for three years, I have offered educational
21 classes there, workshops, one-on-one training and coaching
22 sessions, and even I've had press there. So I'm proud to call
23 Dance Loft my arts home.

24 By supporting this effort, we will aim to address the
25 affordable housing challenges in the District and align with the

1 city's climate change goals, as the new Dance Loft will be a
2 green arts complex with a net zero emission. For members of the
3 public viewing and listening, the Ward 4 community and community
4 stakeholders, help us make this dream a reality. If you support
5 community-based arts, affordable housing, and climate change, I
6 ask that you stand with us.

7 Thank you, Commissioner Hood and Commissioners. This
8 includes -- this concludes my testimony.

9 CHAIRPERSON HOOD: Thank you for your testimony.

10 Let me see. Kate Cain. And then -- let me do this.
11 Kate Cain will be next, and after Kate Cain we'll have
12 Thomas Pipkin. And after Mr. Pipkin, we will -- we'll go through
13 the process of questions. And also, I would ask, if you -- you
14 all could stick around, because there may be questions that I
15 have that may be of you. So if you can stick around right after
16 you finish your testimony. Okay?

17 MS. SCHELLIN: Chairman Hood, if I may, there's also
18 Alexandra Tracy in this group, too.

19 CHAIRPERSON HOOD: Okay. Well, we will --

20 MS. SCHELLIN: She's not showing, because we -- for
21 some reason, we can't make her a panelist, but we can unmute her.

22 CHAIRPERSON HOOD: Okay, look, we'll get her after we
23 hear from those two, the two that I just called.

24 MS. SCHELLIN: Okay.

25 CHAIRPERSON HOOD: We'll hear from Ms. Tracy.

1 Okay. So Ms. Cain, if you could begin, and then we'll
2 ask questions after you finish up.

3 MS. CAIN: Great. Thank you so much. This is just
4 such an amazing experience to listen to all of these stakeholders
5 speak about this issue. And thank you, Commissioners, for your
6 hard work and everyone else. It's really quite impressive.

7 I am a resident of Webster Street and 15th. I've lived
8 here for 22 years with my husband and now three children, and I
9 feel like I've waited a really long time for a major
10 revitalization of this neighborhood's commercial corridor. I
11 feel that at long last, this project is really a win-win-win for
12 our neighborhood. It offers affordable housing, increased
13 density, which is really the biggest issue, I think, in order to
14 move us forward, and a topline facility for committed
15 neighborhood arts organizations, like Dance Loft.

16 I feel that the Dance Loft and developers have reached
17 out in good faith. They've reached out repeatedly to residents
18 for feedback and information. And I myself have taken classes
19 there and enjoyed that experience. Dance Loft has demonstrated
20 their commitment to arts, education and outreach in our local
21 schools, and I feel our community should support that.

22 I am myself a lifelong musician and music educator, and
23 I've worked all over the city in the schools. And I can
24 definitely testify that that is super-important to the life of
25 our children in this city. It would be great to have it in

1 walking distance and to keep it here with top-line facilities for
2 all these wonderful artists that you've heard speak tonight to
3 use.

4 I also feel that a building of the proposed scale is
5 not out of place along 14th Street. Row house neighborhoods to
6 our south and north already have similarly-sized buildings. I
7 feel that the proposed size of this building is actually an asset
8 to our community, because it allows for the density that we need.
9 The commercial hub between Allison and Decatur, which is anchored
10 also by the northern bus barn and other small businesses, I think
11 that that deserves a boost from the residents, the future
12 customers, and the amenities that this project offers to us.

13 I would also like to add that I know that some neighbors
14 feel really passionate about the parking issue. And I walk my
15 dog up and down this corridor, you know, three times a day, and
16 it is rare that there are not plenty of parking spaces available.
17 However, I would say that we also have another untapped resource
18 for parking in this neighborhood, and that is the back lot behind
19 all of these row houses. And I -- I've lived in two, now on
20 Webster Street. We couldn't leave Webster Street, we just bought
21 a second house and moved to it. And my new house has a driveway
22 where I can park, but my old house did not, and I parked on the
23 street for, you know, more than a decade. That was one of the
24 few houses in this neighborhood that actually could not have a
25 parking pad put in the backyard, because of tight -- it was a

1 very tight alley. But I've walked around and done an informal
2 survey, and I would say like 95 percent of our houses have alley-
3 accessible spots behind them that could be used for parking. And
4 if we reach the kind of density that we are slated to reach,
5 that's our goal, then people are going to need to start using
6 the parking spaces that they have available to them on their
7 property.

8 So this is an extraordinary project, I believe, on
9 every level. I feel like we've waited decades for something like
10 this to happen in this neighborhood, and I really hope we don't
11 let it slip through our fingers. I hope that we do not allow
12 any further reduction in the size of this project. And I feel
13 like this neighborhood deserves a win-win-win. Thank you very
14 much.

15 CHAIRPERSON HOOD: Thank you.

16 Next. Mr. Pipkin?

17 MR. PIPKIN: Thank you, and good evening. My name is
18 Thomas Pipkin. I'm a 33-year resident of the District of Columbia
19 and current resident of Ward 4 for the past 13 years. I'm
20 speaking today to voice my strong support in favor of the Dance
21 Loft 14 Development Project. The project adds significant
22 affordable housing to a neighborhood where it is tremendously
23 lacking, provide much needed arts and creative performance and
24 rehearsal space, fits within the Small Area Plan and
25 Comprehensive Plan recommendations, is designed to LEED Gold

1 building standards, will be majority-owned by an arts nonprofit
2 organization, and provides much-needed density to the Uptown 14th
3 Street Business Corridor.

4 So why should my opinion matter? What experience do I
5 have to share or contribute that could add to your decision-
6 making data? Over the past 12 years, I've led a number of
7 initiatives in Ward 4 that have contributed to building a stronger
8 and more vibrant community. These include the Petworth Farmer's
9 Market, established in 2010; the Petworth Jazz Project,
10 established in 2011; Celebrate Petworth, Petworth Annual
11 Celebration, and Block Party, established in 2015; Petworth
12 Porchfest, 2021 and 2022, as well as working with artists to
13 install large-scale public-facing murals throughout the
14 neighborhood. Additionally, I produced the 2021 Art All Night
15 event with Uptown Main Street, which included areas of 14th Street
16 under consideration for this project. I also create and produce
17 events and activations at the Parks of Walter Reed in partnership
18 with another Ward 4 creative firm. And this is just the work I
19 do in Ward 4. I also work with bands and main streets throughout
20 the city to build stronger communities through public-facing
21 events.

22 I know first-hand how important spaces for community
23 gathering are. The Dance Loft 14 project is a verifiable catalyst
24 for positive community development. Decades of data proves that
25 affordable and accessible art spaces are potent fertilizer for

1 positive community growth. Meaningful, affordable housing, of
2 course, is one of the things at the heart of this project.
3 Three-bedroom units at 20-plus units would be a huge welcome and
4 needed addition to the current Affordable Housing Availability
5 Index, not to mention the studios, one- and two-bedroom units,
6 rounding out the offering to more than 60-plus units of affordable
7 housing.

8 Data has proven that affordable housing should not be
9 sequestered into certain zones. Wide dissemination and
10 integration into market rate neighborhoods with all the attended
11 benefits is the most effective strategy to truly build strong
12 communities. I sincerely hope that you will vote to approve this
13 project, supporting the intent of the Comprehensive Plan and the
14 Office of Planning, supporting the decision of the ANC 4C
15 Commissioners who voted to approve, as well as our Ward 4
16 Councilmember, Janeese Lewis George's public letter of support.

17 And not to -- last but not least, Mayor Muriel Bowser's
18 goals of increasing affordable housing, as well as hundreds of
19 letters of support from community members. Thank you all for
20 your time this evening, and I hope you vote to approve.

21 CHAIRPERSON HOOD: Okay. Thank you.

22 MS. Schellin, can we bring up Ms. Tracy?

23 MS. TRACY: Hi everyone. Can you hear me?

24 CHAIRPERSON HOOD: Yes, we can.

25 MS. TRACY: Great. Hi. Hello. My name is

1 Alexandra Tracy. I go by Ale, like, Alejandra, and I'm here in
2 support of this project. Just two groups ago, you met my dance
3 partner, Carolina Hernandez. She was the original person who got
4 us to begin attending at Dance Loft on 14 Street, I believe at
5 the very beginning of the fall season of 2021. So I've been
6 attending less than a year, and I -- the spirit of this place
7 has just completely changed lives in our group.

8 Carolina leads a group called Global Expressions
9 Through Dance. It's an incredibly diverse group of people, and
10 she has managed to get us all together, collaborating with people
11 in the studio and within each other. And as a millennial myself,
12 a person who resides in Maryland, but works in Washington, D.C.,
13 I love that this space is very central to the DMV area. It brings
14 in people from Maryland, Virginia, and as well as within the
15 District. I also love that this space has really supported our
16 group in meeting more and, therefore, we have actually managed
17 to create more business for ourselves, actually.

18 This was something unexpected for me, as, again, I
19 said, I'm a millennial. I'm somebody who is incredibly determined
20 to pay my student loans, and so, I do a lot of side gigs, and I
21 never thought that dancing would actually bring me some extra
22 income to pay that off. And so, that's something that, you know,
23 Carolina has always been -- as a professional dancer, she has
24 always, you know, brought in money that way. But that -- that's
25 something new for me and that's something that we brought in with

1 our group as well that was new for everyone else. So bringing
2 in that extra income has been --- that -- it's just been amazing
3 and unexpected, as something that's been so beneficial to the use
4 of this space.

5 The collaboration really is something so important and
6 -- and also just for youth, in general. The majority of us are
7 adults, but in the Global Expressions Through Dance group, there
8 are youth. And I'm a very strong believer that arts and a
9 community space can provide such amazing opportunities for youth,
10 also to get them out of trouble, too, you know. Get -- getting
11 them these opportunities that distracts them from getting into
12 negative things that most adults or the community wouldn't like
13 youth to get involved in, so. So, yes, overall, I would really
14 like to reiterate that this is a wonderful initiative. I'm in
15 full support, and I hope that my kind of testimonial shows a
16 different side of the magic that this community really does bring.
17 Thank you.

18 CHAIRPERSON HOOD: Okay, thank you all. Let me thank
19 this panel. We really appreciate your different positions and
20 different presentations to us from different aspects of your
21 experiences on this different project. So thank you.

22 Let's see if we have any questions or comments.
23 Commissioner May?

24 COMMISSIONER MAY: I do not. Thank you very much.

25 And so

1 CHAIRPERSON HOOD: Okay.

2 Commissioner Imamura.

3 CHAIRPERSON HOOD: No, sir, I do not.

4 Thank you all for your testimony.

5 CHAIRPERSON HOOD: Okay. And Vice Chair Miller.

6 VICE CHAIR MILLER: I -- no. Thank you, each of you,
7 for your testimony.

8 CHAIRPERSON HOOD: Okay. Does the applicant have any
9 questions of this panel?

10 MR. UTZ: We do not. Thank you.

11 CHAIRPERSON HOOD: Okay. And Commissioner Campbell,
12 you have any questions of this panel?

13 COMMISSIONER CAMPBELL: I do not. Thank you.

14 CHAIRPERSON HOOD: Okay. And Mr. Donohue, do you have
15 any questions of this panel?

16 MR. DONOHUE: No, Mr. Chairman. Thank you.

17 CHAIRPERSON HOOD: Okay. So thank you all. We
18 appreciate your testimony.

19 Ms. Schellin, we're going to take a two-minute break
20 while you and Mr. Young can bring up the next five.

21 MS. SCHELLIN: Okay. Sure.

22 All right, Mr. Young. I have Molly Hofsommer,
23 Renata Eustis, Diego Sosa. I did not see Heather Kimball, but
24 if you want to check behind me. I did not see Aaron Johnson.
25 But again, if you want to double check. Kamillia McCracken, and

1 Emily Hashiguchi. Sure we messed up about. I believe that's
2 five if they're all here. Okay. Molly is sideways. Okay. Let's
3 see. One, two, three, four. Was that five, Mr. Young, or were
4 you -- are you still looking for someone?

5 MR. YOUNG: No, that's four. I don't see Diego Sosa.

6 MS. SCHELLIN: Okay. He was on earlier, so.

7 MR. YOUNG: Yes, he was. I don't see him anymore
8 though.

9 MS. SCHELLIN: Okay. Okay. How about Benjamin Webne?
10 Name?

11 MR. YOUNG: Yeah.

12 MS. SCHELLIN: Okay. Got him? That'll be five.

13 MR. YOUNG: Yeah.

14 MS. SCHELLIN: Great.

15 CHAIRPERSON HOOD: Okay. Thank you, Ms. Schellin, and
16 Mr. Young. I think the two minutes is up.

17 Ms. Schellin, what was the first name you called?

18 MS. SCHELLIN: It was Molly.

19 CHAIRPERSON HOOD: Okay. I don't have it on my list.
20 All right. You know what, I'm just going to call the names.

21 Molly Hofsommer? I know I've messed that up, so you
22 can correct me. You may begin.

23 MS. HOF SOMMER: Thank you. Not a problem. I'm Molly
24 Hofsommer. I live in 15th Street Heights, a block from the
25 proposed Dance Loft development. We live at 4720 15th Street.

1 And what I love about this neighborhood is the proximity to the
2 commercial area between (audio interference). I love the (audio
3 interference) and (indiscernible) express my support for this
4 project.

5 After watching the presentation this evening and
6 hearing of recent developments, such as the Ward 4 councilmember
7 and ANC vote of support, and the withdrawal of opposition by the
8 affected businesses to the projects -- project, I'm even more
9 excited than before. While I expect several of my ANC 4C03
10 neighbors to speak out in opposition to this project tonight, and
11 as they have done in the past, and I respect their right to
12 express their views, this feeling is not unanimous amongst ANC
13 4C03 residents. And I'm here as one of the many neighbors who
14 support this project.

15 Even more important than the immediate benefits for the
16 community of the amenities, the improved retail space, and the
17 benefits that we will gain from having the art space in our
18 neighborhood, I'm very excited about for -- about the addition
19 of affordable housing with this project. And that's a huge
20 element of why I support it. We need housing in our city for
21 varying levels of income, and the best way to create that is
22 through the creation of new housing and dense housing with
23 specific income limits, and that is what exactly this project
24 will do.

25 The developer and the Dance Loft have been engaged with

1 the community since the beginning of the project, and as they
2 have shown tonight, have made many changes to the proposed
3 building to meet not only neighborhood needs, but the needs of
4 the immediate neighbors also. There's no doubt that this project
5 will, of course, bring change to our neighborhood, but I do not
6 think this project will make our neighborhood any less wonderful
7 or any less quiet or less convenient, but will rather bring a
8 lot of good for a lot of people. I know I'm not the only one
9 who believes this.

10 And finally, to highlight a point that was made
11 earlier, I think that if this project doesn't move forward,
12 another one will, and we could end up with a simple commercial
13 building developed without any of these wonderful amenities or
14 the opportunity for the community engagement that we've had on
15 this project. So I really hope that the Dance Loft development
16 is approved. And I conclude my testimony. So thank you very
17 much for your consideration. And thank you for hearing our
18 support.

19 CHAIRPERSON HOOD: Okay. Thank you. Renata Eustis?
20 Hopefully I didn't mess all that up either, but you can correct
21 me.

22 MS. EUSTIS: It's Renata Eustis. I'm both a resident,
23 and I live down the street from Commissioner Campbell, and I also
24 serve as the pastor of Christ Lutheran Church at 16th and Gallatin
25 Streets. And I'm mainly going to be speaking on behalf of the

1 church.

2 Since 1990, when Christ Lutheran used requests to co-
3 found Transitional Housing Corporation, which is now Housing Up,
4 we have had an active commitment to affordable and permanent
5 supportive housing in the District of Columbia. Additionally,
6 we have sought to become a congregation that is multiracial and
7 economically diverse. We have grown significantly in our racial
8 diversity, but have not made the same strides in terms of economic
9 diversity. What drives both our efforts toward affordable
10 housing and racial and economic diversity is our faith. We
11 believe that the vision of the Kingdom of God announced by Jesus
12 is one where creation is cared for, and everyone has what they
13 need for a dignified life. We believe that each person is created
14 in the image of God and that diversity is a gift from God. At
15 Christ Lutheran, we have enjoyed the immense blessing of being a
16 community where people bring their diverse backgrounds and
17 experiences to the table, and we are so much stronger for it.

18 As a resident, I love this neighborhood. There is
19 nowhere else I would rather live. Over the last 20 years, we
20 have seen great change in our neighborhood and in our city,
21 resulting in a diminishment of our racial and economic diversity.
22 Along with my congregation, I see this project as an exciting
23 opportunity to give more people, especially more families, the
24 opportunity to enjoy this place where we have raised our children.

25 A few years ago, two parents with four young children

1 came to the church looking for help. A series of tragic events
2 had left them homeless, and I was able to help them get an
3 apartment, and one of the parents now has a job in a D.C.
4 government agency. The family joined our church and have been
5 great contributors to both the life of the congregation and our
6 mission. Recently, to find housing that met their growing
7 children's needs, the family had to leave the neighborhood, and
8 while they remain active members of Christ Lutheran, our
9 neighborhood schools, community organizations, and neighbors will
10 no longer benefit from their perspectives and involvement. The
11 very affordable three-bedroom apartments proposed for this
12 development would have made it possible for this family to stay.

13 We are impressed with the thoroughness of the process
14 led by our ANC and appreciate the conditions they have attached
15 to their approval of this project. Our hope is that the Zoning
16 Commission will approve this project and allow it to move forward
17 as quickly as possible. We are excited to welcome these new
18 neighbors and celebrate the vibrancy that they will bring to our
19 neighborhood. Thank you very much.

20 CHAIRPERSON HOOD: Thank you.

21 I think next we have Kamillia McCracken.

22 MR. MCCRACKEN: Yes. Hello. Hi. My name is
23 Kamillia McCracken, and I'm a dancer with Moveius Contemporary
24 Ballet and an instructor for a Dance Loft on 14. I was first
25 introduced to Dance Loft in 2019 after I moved from Washington

1 state to the D.C. area to pursue my dance career since graduating
2 from university. As a newcomer to the city, the space gave me a
3 place to start my dream profession, connect with artists alike,
4 and create a home. I could not imagine my life without the
5 opportunity I have received from gaining income from doing what
6 I love most; dancing and spreading arts education.

7 From a young age, I knew this was the career path I
8 wanted to take, and I was fortunate enough to grow up with
9 teachers that fostered that idea to make it my reality. Now,
10 being in the same position as my mentor is, it's my goal to give
11 my youth students a similar experience. Dance Loft provides a
12 diverse youth program that harnesses the joy and creativity of
13 many young dancers. As I teach mostly ages three through six,
14 many of my classes, it's their first time being introduced to the
15 performing arts. With Dance Loft's development ideas, we could
16 provide an arts education for many more people in the DMV. And
17 inclusive arts spaces like this are important for communities in
18 order to cultivate a cultural identity and further push the
19 boundaries for the arts in these communities. And that's all I
20 have. Thank you for your time, and I appreciate you all being
21 here.

22 CHAIRPERSON HOOD: Okay. Thank you.

23 Let's go to Emily Hash -- Hashiguchi (phonetic). But
24 anyway, you -- you'll correct me. I apologize.

25 MS. HASHIGUCHI: Sure. Good evening. Thank you all

1 for listening to me. My name is Emily Hashiguchi. I am an artist
2 and a dance educator in the D.C. area. I took my first class at
3 Dance Loft in 2015, and it has since been a cornerstone to my
4 development as a dancer. I'm thrilled to be here today to speak
5 about Dance Loft and its vital impact on the arts community. As
6 a paid dancer with Moveius Contemporary Ballet, not only does
7 Dance Loft provide a welcoming space to rehearse, take a variety
8 of classes, and attend and participate in shows and events, it
9 allows artists, like myself, to earn an income.

10 The artists -- the opportunities that so many other
11 dancers and I have been given through Dance Loft are crucial for
12 us to be able to perform our craft. Growing up in the D.C. area
13 and living here for most of my life, I can assure you that a
14 place like Dance Loft is necessary for artists. Having attended
15 numerous dance schools and visiting art spaces throughout my
16 career, there's a major lack of opportunity for artists to
17 rehearse and perform in the DMV. With Dance Loft's Development
18 Plan, I believe the much-needed accessibility will increase
19 exponentially. Through the expanding vision of Dance Loft and
20 the surrounding area, the surrounding area will not only be
21 embracing a larger space to perform and rehearse, but they're a
22 welcoming environment for anybody to discover their love of the
23 arts. Thank you for listening to me.

24 CHAIRPERSON HOOD: Okay. Thank you. Let's go to Ben
25 Webne.

1 MR. WEBNE: Hello everyone. Good evening. My name's
2 Ben Webne. I'm an architect, and I currently live with my wife
3 and two small children at 1407 Buchanan Street, directly behind
4 the furniture store loading dock. So I have a -- we have a very
5 personal interest in this project. And I agree with all others
6 that are in support of the project, that it will be an overall
7 benefit to the neighborhood and the city as a whole. I also
8 think that the density of the plan will aid in the success of
9 the retail strip row on 14th Street. We look forward to the
10 success of the project.

11 You may not be able to see it, but I'm currently sitting
12 in my kitchen with a view of the existing building. The alley
13 behind me is currently dangerous and hazardous. It's used for
14 open-air drug dealing, soliciting and homelessness. The current
15 building is poorly maintained, and it's an eyesore. My wife and
16 I are excited by the prospect that this new building may help
17 improve these conditions.

18 But that being said, not all of the conditions in the
19 project plans are improvements. Though they have widened the
20 alley closest to 14th Street and the garage entrance, the rest
21 of the alley is going to be narrowed to only 10 feet. I do not
22 agree with DDOT's statement that the condition can be reassessed
23 after one year. Once this building is built, there'll be very
24 little that can realistically be done to mitigate what's not
25 working.

1 The alley must be widened for several reasons.
2 Currently, trash and recycling are picked up there, and we need
3 width for the trucks to get through and for the trash cans to be
4 placed out there. I don't see how both of those things can occur
5 in 10 feet. And additionally, many of the residents park in the
6 yard behind their houses, and the width doesn't allow enough
7 clearance to get in and out of our parking spaces. So we need
8 that additional -- unless this can be proven to me otherwise, I
9 believe that we need a couple extra feet in order to get our cars
10 out of there. That's why we bought these houses in the first
11 place, you know. Eliminating those parking spots is just going
12 to further exacerbate a tough parking situation as it is, so.

13 Thirdly, the narrowing of that alley, I think, will
14 lead to bad lighting situations and potentially the same issues
15 that we're dealing with now. Providing a wider alley will
16 certainly make it safer for pedestrians to walk and better day
17 lighting situations.

18 And finally, that being said, it doesn't sound like it,
19 but we do recommend approval of the project under the condition
20 that DDOT and Heleos review this design further, and widen this
21 alley so that it is functional and safe for the residents that
22 are adjacent to it. Thank you.

23 CHAIRPERSON HOOD: Okay. I want to thank this panel
24 for your testimony again. We come from different facets of
25 presenting to us, so thank you.

1 Let's see if we have any cross-examination. Does the
2 applicant, Mr. Utz?

3 Mr. Young -- Oh, there's -- there he is.

4 Mr. Utz?

5 MR. UTZ: (No audible response.)

6 CHAIRPERSON HOOD: I'll come back to --

7 Mr. Utz, do you have any cross?

8 MR. UTZ: Sorry, I got kicked off. I do not. Thank
9 you.

10 CHAIRPERSON HOOD: Okay. Commissioner Campbell, you
11 have any cross?

12 Anyone --

13 COMMISSIONER CAMPBELL: I actually do have one question
14 of Mr. Webne.

15 CHAIRPERSON HOOD: Okay.

16 COMMISSIONER CAMPBELL: Are you -- Mr. Webne, are you
17 currently experiencing issues in terms of your trash and
18 recycling pickup due to the width of the alley?

19 MR. WEBNE: We -- it's working, because we have
20 additional width, and people are, including myself have to put
21 their cans on what is now the furniture store's property in order
22 to get the clearance for the trash trucks to work. So that's
23 -- in their proposed plan, that's being taken away, and I have
24 no idea -- I really don't think that's going to -- it's not going
25 to work. It's absolutely not going to work.

1 COMMISSIONER CAMPBELL: Thank you. That -- those are
2 all the -- that's the only question I have.

3 CHAIRPERSON HOOD: Okay. Thank you.

4 Mr. Donohue, you have any cross?

5 MR. DONOHUE: Just one question, Mr. Chairman.

6 Mr. Webne, the suggestion that DDOT and the applicant
7 revisit the width the alley and the design of the project. First
8 of all, it's a welcome comment, and I appreciate it. But you
9 realize unless this Commission directs the applicant to
10 reconsider, that's not likely to happen. So that your conditional
11 support is conditional on something that's -- doesn't have much
12 chance of seeing the light of day. You understand that?

13 MS. WEBNE: I'm not exactly sure how this process works.
14 This is my first time that I've had to really voice my public
15 opinion, so I really sincerely hope there's a mechanism for
16 reviewing this condition another time.

17 MR. DONOHUE: Yeah. No, I appreciate that. This
18 Commission would be the final word on this. This isn't a
19 Commission that recommends to a board or to another council.
20 This is the jury right here. So the design is what it is. The
21 width of the alley and all, as we -- as you described. So those
22 problems that you're describing are -- they come along with the
23 project then.

24 MR. WEBNE: It sounded to me like there was leeway in
25 terms of at least DDOT's statement to review the condition at

1 least one more time at a future -- at a future time. So that's
2 why I'm making the statement. It didn't seem completely final
3 in terms of the way that they were looking at it.

4 MR. DONOHUE: Okay. Well, I appreciate your time.
5 Thank you.

6 CHAIRPERSON HOOD: Okay. Thank you.

7 MR. Donohue, any other questions?

8 MR. DONOHUE: No, sir.

9 CHAIRPERSON HOOD: Okay. Commissioner May?

10 COMMISSIONER MAY: Yeah, I have a follow up question
11 for Mr. Webne.

12 So do you store your trash receptacles in your yard
13 until they are picked up, or do you --

14 MR. WEBNE: Yes.

15 COMMISSIONER MAY: -- move them in the alley? Okay.
16 Sorry?

17 MR. WEBNE: Yes, I do. Yeah. And then when it's trash
18 day, we take them out.

19 COMMISSIONER MAY: Right. Okay. Yeah, I understand
20 the challenge with that. My alley is not that narrow, but we
21 have a similar challenge, and I built a pocket into the fence in
22 my yard so the trash cans could be out of the way and be out of
23 my backyard and still be picked up. And the trash guys are very
24 good about taking it from there and putting them back in. So if
25 you wind up in that situation, maybe there's an opportunity to

1 build something into your back.

2 MR. WEBNE: Yeah, that's -- we can figure that part out
3 potentially, but the parking situation, I have no idea how that's
4 going to be resolved.

5 COMMISSIONER MAY: Yeah, so it's the width of the lots
6 there?

7 MR. WEBNE: The width of my lot is 20 feet.

8 COMMISSIONER MAY: Yeah. So, I mean, the way to combat
9 that is to have a -- an opening, if you park there, is to have
10 the opening the full width, and that gives you enough room to
11 swing in. And it means more pavement in your yard, but that's
12 like the only way to deal with it. The other way to deal with
13 it is to back your fence off of the alley, which is, you know,
14 what you would have to do if you build a garage on, right. But
15 there -- all I'm saying is that there are a number of alleys that
16 have narrow space, and you're basically imposing the need for a
17 wider alley onto another property owner. And so, I'm not sure
18 how well that would go in this circumstance, so.

19 MR. WEBNE: I would say that they're imposing a need
20 on me to spend money to relocate my fence and make my yard
21 smaller.

22 COMMISSIONER MAY: Not necessarily, because that's only
23 your property. They don't, you know, why do they have to give
24 to the alley? Why don't you give to the alley? And so, I have
25 --

1 MR. WEBNE: I have nothing to give.

2 COMMISSIONER MAY: And so I think (indiscernible) is,
3 you know, that's sort of the reality of things. You have a 10-
4 foot alley, and there's not -- there's no explicit obligation for
5 them to provide more alley space. It's a convenient thing that
6 you have right now, but it's not necessarily a long-term necessity
7 for them to provide that.

8 MR. WEBNE: It's not, but if that's the stance, then I
9 don't think that's in good faith with the abutting neighbors or
10 in (indiscernible).

11 COMMISSIONER MAY: Well, that's, you know, I'm -- I
12 don't know how this is going to turn out in the end, but the
13 relationship between any individual house and its alley is
14 subject to the width of that alley and not -- shouldn't be --
15 you know, in certain circumstances, we're able to push for widened
16 alleys. And, in fact, we've seen alleys pushed to 20 feet wide
17 in some circumstances. But that, you know, it all depends on
18 the individual circumstances. So I'm not surprised to see DDOT
19 taking the position that they're taking because of the
20 (indiscernible).

21 Anyway, I don't have any other questions. Thank you.

22 CHAIRPERSON HOOD: Okay. Thank you.

23 I want to thank this panel. We appreciate your
24 testimony and participating in this hearing tonight. Thank you.

25 Ms. Schellin, can we bring up -- we're still on support,

1 I believe. Can we bring five more up? Five more residents?

2 MS. SCHELLIN: Yes, sir. I'm not sure we have five
3 left, but I will bring up -- have him bring up what we have left.
4 We have Won Yi Ing, and then we have Elaine Glinskaya (phonetic),
5 I'm not -- Glinskaya. Maybe I -- I know I messed that one up.
6 Samir Bitar. And that's all in support.

7 CHAIRPERSON HOOD: Okay. So I would just ask if anybody
8 tweets that Chairman Hood messed up names, include Ms. Schellin
9 on there with me.

10 MR. SCHELLIN: That's the only reason why you're having
11 me call them, I'm sure.

12 CHAIRPERSON HOOD: All right. Let's begin with -- I'm
13 a call the first name, Onell Ing (phonetic)?

14 MS. ING: (No audible response).

15 CHAIRPERSON HOOD: Onell Ing?

16 MS. ING: (No audible response).

17 CHAIRPERSON HOOD: Maybe I'm mispronouncing it.

18 MS. ING: Hi.

19 CHAIRPERSON HOOD: It's W-A- -- they you are. Okay.

20 MS. ING: That's fine. Can you hear me?

21 CHAIRPERSON HOOD: Yes.

22 MS. ING: Okay. I couldn't get wired in on my laptop,
23 so (indiscernible). Good evening. My name is Juani (phonetic).
24 Thank you guys so much for being here. I know we're keeping you
25 long, so I will try to keep it brief, and I really appreciate

1 all of your time and efforts into this and to hearing everyone's
2 testimonies. I'm a company dancer and dance with Moveius
3 Contemporary Dance and that -- located in Dance Loft. And I
4 believe that Dance Loft provides a really rare and valuable
5 opportunity, not only for dancers, but also for the students in
6 the immediate area.

7 This past year, Dance Loft was -- Moveius Contemporary
8 Ballet was able to put on four performances for kindergarten
9 through third grade students in the D.C. public school system.
10 It was field trips during their school day, and they came over,
11 and we performed for them. And they also had the opportunity to
12 come on stage and to do a little bit of dancing themselves. And
13 I also answered the students' questions during the Q&A sessions
14 at the end of each performance. And during the Q&A sessions,
15 the kids were always very excited, and they would ask us, How do
16 we get to be like you? How long have you been dancing? How do
17 you do that move? And they were clearly very inspired and excited
18 to use their bodies and move and exercise. And I think that's
19 really valuable, at that age, to be able to bring students in to
20 see the potential for what they could do themselves.

21 I -- we rehearse and take class at the Dance Loft. And
22 when I come into the Dance Loft, I walk past a lot of the classes,
23 and different people who are renting space in the studio. And
24 unfortunately, ballet is very disproportionately white community,
25 and that's due to stereotypes and lack of opportunities. But the

1 classes that I see at Dance Loft, there are a lot of ballet
2 classes that are majority minority, and the students have
3 teachers who look like them, which is very rare. I haven't seen
4 it anywhere else, and I think it's really valuable to the
5 students.

6 And while they're taking class, they also get exposed
7 to all the other groups that rent at Dance Loft, including
8 different -- dances from different cultures and martial arts and
9 different types of exercise. And it really lets them see the
10 breadth of opportunities that are out there. I have also danced
11 with two other groups that have either rented space at Dance Loft
12 or looked at renting space there, so it really is integral to
13 the dance community in Washington, D.C., and in the DMV area.

14 In addition to Dancing with Moveius, I also am a renter
15 in D.C., and I cannot imagine trying to afford rent if I had kids
16 or needed to support more people. So I think the affordable
17 housing is really badly needed, and will be very valuable.

18 Thank you. Thank you for your time. I'm really excited
19 to see where this goes, and hope you have a good evening.

20 CHAIRPERSON HOOD: Thank you. Appreciate your
21 testimony. If you can hold up for a moment, we may have some
22 questions. The only other name I see, Ms. Schellin, is Samir
23 Bitar. Hopefully, I pronounced that correctly.

24 MR. BITAR: There. You guys can hear me?

25 CHAIRPERSON HOOD: If you can speak up maybe a little

1 bit, we probably hear you better.

2 CHAIRPERSON HOOD: Yeah.

3 MR. BITAR: Sure. Good evening. My name is Samir
4 Bitar. I am speaking to you tonight as a dancer and choreographer
5 and a leader of arts organizations and a District homeowner. I
6 would like to speak this evening specifically in support of the
7 professional abilities and personal commitment of Dance Loft's
8 Executive Director, Diana Movius. There has been a singular
9 voice in the community that has, unfortunately, sought to block
10 the new Dance Loft 14 dance center by assailing Diana's character
11 and commitment to the field of dance. I'd like to offer a counter
12 to that voice this evening.

13 Dance in America is difficult. As an ephemeral art
14 form, dance doesn't fit as well into our economy's product-driven
15 model. Unlike painters, filmmakers, musicians, writers, and
16 poets who produce tangible works of art that can be stored and
17 sold, dancers make impermanent works of art, which art is easily
18 packaged for sale and when they are in the form of DVDs or digital
19 files, the market for such products is exceedingly small. Given
20 these pressures on the art form of dance and its practitioners,
21 many, if not most dancers in America, must support their creative
22 work with other forms of income. I myself worked at Pfizer
23 Pharmaceuticals for years while first studying at the Cunningham
24 School in New York and then making dances there. In D.C., I
25 worked at the Smithsonian to both ensure a retirement pension,

1 as well as to fund the creation of dancers.

2 Someone has critiqued Diana's commitment to dance by
3 calling out her simultaneous work in environmental policy while
4 standing up and running Dance Loft 14. I would think it unfair
5 to penalize dancers as non-committal to the art form for having
6 to diversify their income streams through side ventures. On the
7 topic of Diana as an arts administrator, I cannot speak more
8 highly to her competency and abilities. Having worked with Diana
9 for nearly seven years, I can attest to not only her commitment
10 as a choreographer and dancer, but her proven competence as an
11 arts administrator. I have witnessed Diana, while working full
12 time in environmental policy, contribute years of her time and
13 personal finances to establishing and maintaining Dance Loft 14.

14 Dance Loft provides professional dancers a critical
15 space to both strengthen their technique through classes and to
16 create and present new dance works. In 2018, I myself had a
17 theatrical production in the D.C. Fringe Festival. Dance Loft
18 14 was the only space that offered below market space rental, and
19 we looked high and low at no fewer than 10 other spaces in the
20 District. Without Diana's skills and steadfast commitment to
21 dance, we could not have created and fine-tuned our critically
22 acclaimed sold out production.

23 Finally, I continue to be impressed by Diana's ability
24 to fundraise. I've been an arts administrator for nearly 20
25 years and have only seen the abilities and successes in

1 fundraising that she demonstrates at much larger arts
2 organizations, like the Smithsonian or the Joyce Theater in New
3 York. The enormous success of Diana and her team's fiscal
4 prudence and fundraising prowess, as demonstrated by her ability
5 to galvanize a community of funders to join her in her vision of
6 buying a space in Ward 4 and developing the kind of world class
7 professional dance center that strengthens the District's
8 position as an epicenter of art in the nation.

9 Since losing the American Institute in Rockville in
10 2015 to Upstate New York, the DMV community has needed a
11 replacement space. Diana's vision is helping to reestablish such
12 a center for dance in the District. I congratulate and laud
13 Diana and her team for their vision and hard work and urge the
14 Zoning Commission to vote in favor of this important project.
15 Thank you.

16 CHAIRPERSON HOOD: Again, we want to thank you both for
17 bringing your perspectives and your views to this particular
18 application.

19 Let's see if we have any questions and comments or any
20 cross.

21 Does the applicant have any cross for either one of
22 these witnesses?

23 MR. UTZ: We do not. Thank you.

24 CHAIRPERSON HOOD: Okay. Thank you.

25 Commissioner Campbell, you have any cross of either one

1 of these witnesses?

2 COMMISSIONER CAMPBELL: No, sir.

3 CHAIRPERSON HOOD: Okay. Thank you.

4 CHAIRPERSON HOOD: And Mr. Donohue, you have any cross
5 of either one of these witnesses?

6 MR. DONOHUE: (No audible response).

7 CHAIRPERSON HOOD: Okay. All right. Well, thank you
8 both. Greatly appreciate it. And I think that's it for support.
9 Right, Ms. Schellin?

10 MS. SCHELLIN: That's correct.

11 CHAIRPERSON HOOD: Okay.

12 MS. SCHELLIN: There's the, as you said, next would be
13 the party in opposition's presentation. We have just a few, I
14 don't know if you want to take it out of order, just a few in
15 opposition. And I believe it's -- well, actually Mr. Hollis is
16 part of the party, so he wouldn't be called up, and so it would
17 just be one undeclared and one, two, three -- actually, I don't
18 think Mr. -- Ms. Ferster will be testifying, so it would only be
19 three opponents.

20 CHAIRPERSON HOOD: Right.

21 MS. SCHELLIN: I don't know what the Commission wants
22 to do. I wanted to make you aware of what was left on the witness
23 list.

24 CHAIRPERSON HOOD: Okay. Let me ask Mr. Donohue.

25 Mr. Donohue, do you mind if we take the party in

1 opposition last and let the three people who are -- or three or
2 four who are in opposition go first, or do you want to go in the
3 normal order? So I'm asking you.

4 MR. DONOHUE: I don't have any trouble with the order,
5 Mr. Chairman, but I am looking at your clock, and there was some
6 suggestion that 9 o'clock was going to be a reconsideration. So
7 I guess I'm -- I'm wondering what --

8 CHAIRPERSON HOOD: Only time -- no. I think
9 Commissioner May -- it's usually around 10 o'clock, but we're at
10 home, so. Just so, I think we will continue, if that's what
11 you're concerned about, unless I hear from my colleagues
12 otherwise.

13 COMMISSIONER MAY: Well, I mean, are we really going
14 to finish the whole thing tonight?

15 Mr. Donohue, how long is your presentation?

16 MR. DONOHUE: We've got seven speakers. We've asked
17 for an hour, and we expect we'll use it.

18 COMMISSIONER MAY: And then we would have cross on
19 that, and then rebuttal and closing. So I'm not -- we would not
20 finish by 10 o'clock.

21 CHAIRPERSON HOOD: We'd probably finish about 10:30.

22 COMMISSIONER MAY: No, I don't think we'll finish by
23 10:30, because I --

24 CHAIRPERSON HOOD: If we don't finish by 10:30?

25 COMMISSIONER MAY: Because I've (indiscernible) since

1 2:00, so.

2 CHAIRPERSON HOOD: Okay. So Ms. Schellin, let's just
3 go ahead and get another date now. We'll stop at 10:00.

4 And Mr. Donohue, do you mind those going first? If we
5 start with you, or you want to do it tonight, or you want to
6 start with you? I'm asking.

7 MR. DONOHUE: You can start with those folks. It's
8 fine.

9 CHAIRPERSON HOOD: Okay.

10 MR. DONOHUE: I like to do a presentation in one shot.

11 CHAIRPERSON HOOD: Okay.

12 So let me ask this, Ms. Schellin. On Monday, we have
13 a meeting Monday, right?

14 MS. SCHELLIN: Sorry. No, sir. We have a -- an Office
15 of Planning Map Amendment case. I don't think it's expected to
16 take very long. I believe Ms. Steingasser and Mr. Lawson are
17 both available. They would be able to better answer that
18 question. We could possibly take that case up and then finish
19 this case Monday after that.

20 CHAIRPERSON HOOD: Do we have a -- do we have last --

21 MS. SCHELLIN: Oh, actually, I take that back.
22 Commissioner May, unless he's going to read the record, is not
23 available Monday.

24 COMMISSIONER MAY: Yeah, I would be out on Monday, but
25 I could certainly read the record.

1 CHAIRPERSON HOOD: Okay.

2 MS. SCHELLIN: Do you want to check with Ms. Steingasser
3 and Mr. Lawson if they could be brought up to see --

4 CHAIRPERSON HOOD: I actually would like -- I actually
5 -- we already don't have a full -- I would actually like all four
6 of us to be here. What about Thursday?

7 MS. SCHELLIN: Thursday we have a meeting. I think it
8 might take an hour, if that.

9 CHAIRPERSON HOOD: Okay. So --

10 MS. SCHELLIN: I don't think it's going to take a very
11 long time at all.

12 CHAIRPERSON HOOD: Well, let's see how far we go --

13 MS. SCHELLIN: So not --

14 CHAIRPERSON HOOD: Yeah, I don't think, because there's
15 three things on the agenda for Thursday.

16 MS. SCHELLIN: Yeah, it's not a lot. It may not even
17 take an hour.

18 CHAIRPERSON HOOD: So --

19 MS. SCHELLIN: Might take 40 minutes.

20 CHAIRPERSON HOOD: Right. So what we would --

21 Mr. Donohue, is -- let's see how far we go, but you
22 want it all in one (indiscernible). If we do next Thursday,
23 could we start next Thursday at 4:30 p.m.? Everybody will be
24 fresh for your presentation. Any objections, Mr. Donohue?

25 MR. DONOHUE: None from me.

1 CHAIRPERSON HOOD: While we -- let me do this. While
2 we continue with those in opposition, check with all of your
3 members, and make sure they're available.

4 MR. DONOHUE: I'll do that. Yeah.

5 CHAIRPERSON HOOD: Okay.

6 MR. DONOHUE: Got it.

7 CHAIRPERSON HOOD: Let's do that.

8 Okay. Ms. Schellin, let's call up the -- those in
9 opposition.

10 CHAIRPERSON HOOD: (Indiscernible). We can bring them
11 all up in one group.

12 MS. SCHELLIN: Sure. You want opposition and the
13 undeclared.

14 CHAIRPERSON HOOD: And undeclared, right.

15 MS. SCHELLIN: Right.

16 CHAIRPERSON HOOD: Well, I think undeclared is with the
17 party in opposition now, so I'm not --

18 MS. SCHELLIN: Well, Mr. Hollis is. There's one other
19 person that was on --

20 CHAIRPERSON HOOD: Oh, there's another one. Okay.

21 MS. SCHELLIN: Yeah.

22 CHAIRPERSON HOOD: Well, let's bring everybody up.

23 MS. SCHELLIN: Okay. All right. Let me call those for
24 Mr. Young. That would be Tracey Hart, Gabrielle Butler, and like
25 I said, I'm sure Ms. Ferster is not planning to testify since

1 her party withdrew party status. And then I have Cecelia Waldeck
2 and Maria Viallata (phonetic) -- Vialta.

3 Mr. Young, did you get all of those?

4 MR. YOUNG: Yeah, I only had two that are on.

5 MS. SCHELLIN: Oh. Okay.

6 CHAIRPERSON HOOD: Okay. So we're going to go with the
7 two that we have in opposition. We'll see how far we get. And
8 I might -- I still think we can get to Mr. Donohue, but we'll
9 see how far we go.

10 Ms. Waldeck?

11 MS. WALDECK: Yes. Can you hear me?

12 CHAIRPERSON HOOD: Yeah. Yes, we can.

13 MS. WALDECK: All right. Great. I do appreciate you
14 giving me an opportunity to share a few points. I actually
15 submitted a letter in opposition a while back. And so, the points
16 I want to raise are just sort of all over the place; more response
17 to, I think, the hearing today. Just the first one. I mean,
18 one reason why I'm opposed to this is really from a D.C. taxpayer.
19 I live a block from the site on 15th Street Northwest. I've been
20 in D.C. since, oh, wow, I guess early 2000s. I'VE lived in the
21 neighborhood since 2004. But it really gets down to a racial
22 equity point for me. I have been working very hard with other
23 neighbors to try to dislodge WMATA's bus barn from the
24 neighborhood, because we've --

25 CHAIRPERSON HOOD: Ms. Schellin, you might want to

1 mute.

2 MS. SCHELLIN: Oh, okay.

3 CHAIRPERSON HOOD: And whoever you're talking to is not
4 there anyway, so.

5 MS. SCHELLIN: Right. Okay. Wait to stop it?

6 CHAIRPERSON HOOD: No, Ms. Waldeck, just excuse us for
7 a moment. And could you speak up, Ms. Waldeck. Could you speak
8 up a little bit? Anyhow --

9 MS. WALDECK: Yes. Basically, I think from a taxpayer
10 standpoint, what I don't like is the location of an affordable
11 housing project subsidized by my tax dollars, which is right
12 across the street from an industrial site that has high pollutants
13 in the air. I was on the environmental committee looking at the
14 WMATA bus barn, and there were studies from Children's Hospital
15 here that the area around the bus barn in my neighborhood has
16 very high rates of asthma, similar to the rates of asthma in
17 children near the Southwest Freeway.

18 Anyway, what I -- really kind of annoys me about this
19 project is it's right across the street from the bus barn, and
20 they are rebuilding it, and they -- we have worked hard to try
21 to get them to commit to transitioning the bus fleet to electric,
22 but they have refused to do it. And they have some generalized
23 commitments that they're going to do the transition, but for the
24 time being, probably the next 10 years or so, the plan for that
25 facility is to have diesel articulated buses maintained in that

1 facility.

2 One thing I think that this weak on the analysis by
3 DDOT is they don't consider that. The bus barn has been closed
4 for over a year now. It's getting -- basically it's going through
5 environmental cleanup. And during this time, there is not the
6 normal traffic and parked cars around 14th Street on the east
7 side, where, I think, DDOT and the parties concluded there's
8 quite a bit of parking -- on-street parking on the east side of
9 14th Street.

10 Well, yes, there is because the bus barn is closed
11 down. But once it opens up, they're going to have a larger office
12 building. There'll probably more people coming in to visit WMATA,
13 once it starts up again. They also are adding a commercial space
14 on that site, and they are not offering any off-street parking
15 for anyone who's not a badged employee of WMATA, because it's a
16 secured building for -- I'm sure for security reasons it is.
17 They have chemicals. They have all kinds of things on that site.

18 But anyway, that's one reason why I oppose. I guess
19 my rhetorical question is basically there are many North American
20 studies showing a strong relationship between low socioeconomic
21 communities and higher concentrations of ambient air pollutants.
22 Do we need to repeat this past? I don't think it's a good past
23 for us to repeat. Doesn't D.C. have healthier alternative
24 locations in Ward 4 and Ward 3 for spending our tax dollars on
25 an affordable housing project?

1 Then I have some points, I think, on the parking. I
2 do like the decision to basically not allow residents to
3 participate, I guess, in the local residential parking permit
4 program. The issue I have with that is DDOT's liaison to Ward 4
5 has had high, high turnover lately and DDOT has basically not
6 been servicing Ward 4, or at least this neighborhood as well as
7 it has in the past. So consequently, I request that the decision
8 to not permit RPP participation by residents in that building, I
9 would like to see it added to the deed of the building site so
10 that DDOT cannot simply change its mind down the road after
11 residents moved in.

12 Finally, just a few remarks on some of the assumptions
13 in the DDOT study. You know, the parking study just used two
14 data points. It did not look at Sunday, which is the worst day
15 for on street parking in this neighborhood, because we have lots
16 of churches around here, and it is impossible to park on Sundays.
17 Also, parking congestion, it's very hard on days where there is
18 parking -- when we're street cleaning, where everybody has to
19 pull over to one side of the street. They did not look at that.
20 And I mean, some of our blocks were actually considering doing
21 away with street cleaning, because the parking congestion is too
22 challenging. You know, you have to drive over -- onto 18th Street
23 and Crestwood to find an open place.

24 The trip generation assumption, I think, for the
25 theater in the proposed building seems really odd to me, because

1 you're saying that the theater is going to have 150 to 200 seats,
2 but when you basically have assumptions on how many car trips are
3 going to be generated by the theater, it's like 10 car trips.
4 And I can tell you, as someone who goes to dance performances
5 and theater at Kennedy Center, at George Mason, at lots of places
6 in the city, you know, the audiences are pretty old. They're
7 like me. A lot of people are seniors and middle-aged, and they
8 don't ride bikes, and they're not likely to take a city bus at
9 night to go to a performance on Upper 14th Street.

10 So I really do think there's problems with the
11 conclusions reached on the impacts of, you know, traffic and
12 parking in this neighborhood from the facility.

13 Finally, I would like to see parking rates, because
14 there's such a large number of affordable housing residents that
15 will be living here, I would like to see the parking rate lowered
16 or discounted for them, particularly if the parking places that
17 are added in the new building are not all used by the residents.

18 Finally, I just want to -- two more points. On process,
19 you know, I'm the person that actually started a petition drive
20 relating to the six displaced retailers on this street. And, you
21 know, it wasn't something I particularly wanted to spend my time
22 doing, because I am still working. But I did it, because after
23 contacting Mr. Campbell and raising the issue, I use those
24 businesses as well as a lot of people that have basically stood
25 by us through the pandemic, through the closing of the bus farm,

1 and they have not closed down.

2 And, you know, I'm just so grateful for that. I mean,
3 these are very small businesses owned by minorities, owned by
4 women. Anyway, I think they -- I give them as much credibility
5 and value as I give the Dance Loft. In fact, I don't even use
6 the Dance Loft services. I'm not a dancer. I don't have a kid.
7 So anyway, they were being ignored. That's all I got to say. I
8 talked to Mr. Campbell. He was not interested in addressing
9 their concerns. He said they have leases. We aren't worried
10 about it. And then I talked to Uptown Main Street, which has
11 come out in support, and I think one of their board members spoke
12 in support, and they basically were not interested in it either.

13 And it surprised me, because, you know, it's a loss of
14 six businesses on the 4600 block. Dance Loft is only one of the
15 businesses. And so just the basic math of losing six businesses
16 in favor of one business that wants to take over more space on
17 the ground floor, just have me scratching my head. But anyway,
18 some of the organizations have come out in support of this, were
19 definitely not engaged. And for that reason, I started this
20 petition, and I filed it with you. It was 376 signatures. I'm
21 sure I could have gotten a lot more, if I had more time, and
22 spent -- knocked on doors, because there's a lot of support for
23 those businesses and a lot of older time -- older neighbors,
24 people that don't have kids that are taking Dance Loft classes,
25 are quite upset about them being lost in the neighborhood. So I

1 ask that.

2 And I really appreciate that, Chairman Hood. I think
3 you put some pressure on Dance Loft Ventures to negotiate and
4 compromise with the community. And I sincerely appreciate that,
5 because I understand that some agreement terms have been reached
6 between the displaced tenants and Dance Loft Ventures. I don't
7 know particularly what the particulars are, but I would like you
8 to and as a condition of your impending zoning order, if you
9 approve the project, to make it a condition that whatever
10 agreements are reached are abided by Dance Loft.

11 Finally, I guess I just, you know, I have a question -
12 I have two more points. I have a question, because there's a
13 lot of artists testifying on behalf of the project, and a lot of
14 us in the neighborhood were confused, because the -- I guess,
15 talking about a misinformation. The message we got was that this
16 would be affordable housing for artists. And I'm an attorney,
17 and I actually represent tenants in landlord-tenant cases, and
18 so I'm familiar with some statutes, which really suggests to me
19 that they -- the city cannot give any preference to artists with
20 respect to allocating the affordable units in the building. And
21 so, I think it might be helpful just to clarify that. Maybe I'm
22 wrong. It would be good to clarify it on the record, because I
23 think some of the artists testifying might be under the impression
24 that there's going to be affordable housing offered to them as a
25 benefit.

1 Finally, I just want to say, many of my neighbors have
2 very ideological views about this affordable housing project and
3 are very supportive about it. And like I'm on the neighborhood
4 association where half of us are supporting it, half of us are
5 not. I have a more of a pragmatic view, and I really do feel
6 like good faith negotiations and a willingness to compromise can
7 lead to mitigation of negative impacts. And obviously, we have
8 a good example of that with Dance Loft Ventures negotiating with
9 the displaced tenants in the last 24 or 48 hours. And I'm just
10 hoping maybe Dance Loft can open its mind to looking again at
11 that other design for a lower building, which I was not aware of
12 until tonight.

13 And I guess I just want to conclude that, you know, I
14 am certainly a supporter of affordable housing. I represent
15 tenants and landlord-tenant cases on a pro bono basis. However,
16 I really do think the -- I really do think the details matter.
17 And I do feel people look at me kind of funny, perhaps, if they're
18 very ideological, affordable housing, saying, Cecelia, how can
19 you be against this? It's affordable housing. And, you know, I
20 just have sort of a more pragmatic attorney-like view that, you
21 know, you know, you work things out, and you look at the details,
22 and you work out compromises.

23 And then just one final thing. I mean, one difference
24 as to why I'm testifying and perhaps other people are not opposed
25 is I'm one of those people that's impacted by this, because I

1 live on a small lot of 15th Street, Northwest, one block away.
2 I spend a couple hundred thousand dollars putting in a second
3 basement unit, which is actually, by the way, I rent at 60 percent
4 medium income, according to the IZ rental schedule. Anyway, I
5 have no parking garage. I have no park -- I have to park on the
6 street, because I have no parking. Well, I have a very small
7 lot. And some of us on 15th Street, which is right around the
8 corner from the project, don't have parking garages, and we are
9 really going to be impacted by this. So I really do hope you
10 can put that RPP, you know, that can't -- the new residents can't
11 park on 15th Street, Northwest, because they won't have the
12 sticker. I hope you can put that into the deed. Thank you for
13 listening. I appreciate your time.

14 CHAIRPERSON HOOD: Thank you, Ms. Waldeck. Let me
15 just say, I let you go ahead. I let you -- a lot of people are
16 getting feedback. But I'll let you go ahead and continue. You
17 had a lot of time, because we only have two people -- individuals
18 in opposition. So I want to put that on the record. Now I'm
19 going to questions. And I'm getting much feedback from somewhere.

20 Okay, Ms. Butler?

21 MS. BUTLER: Can you hear me?

22 CHAIRPERSON HOOD: If everybody could go on mute.

23 MS. BUTLER: Can you hear me?

24 CHAIRPERSON HOOD: Yes, we can hear you.

25 MS. BUTLER: Okay. Hi. My name is Gabrielle Butler.

1 I appreciate your time, Chairman Hood and Zoning Commission and
2 staff. I'm a native Washingtonian. I'm a -- lived at 1407
3 Crittenden Street my entire life. I'm testifying today to express
4 my firm opposition to the development plan of Dance Loft Ventures,
5 LLC at 4618 14th Street, Northwest in Square 2704. I know that
6 they're seeking a map amendment in the PUD. I reside within 200
7 feet of this property. I oppose this development for multiple
8 reasons. And due to time constraints, I'm just going to touch
9 on a few things. And I'm going to change what I had written down
10 after listening to the testimony today.

11 First of all, Ms. Waldeck, who just testified before
12 me, talked about the trip generation assumptions and the parking
13 assumptions by the applicant's expert on traffic and by DDOT, and
14 I agree. Because you are taking these assumptions and these trip
15 recommendations. We're still -- we're not completely out of the
16 pandemic, but it's not like it was in, like, say, 2018 and WMATA's
17 offline. I have grown up within 200 feet of WMATA. So when the
18 garages is open, those buses get started at 5:00 in the morning.
19 They finish at 2:00 in the morning. Up and down 14th Street, up
20 and down Decatur to get to 16th Street, the bus drivers have
21 their cars, so you've got a lot of traffic that's going to be
22 present once they finish, plus 2700 square feet -- 20,000 square
23 feet of retail that's going to go right across the street from
24 this development. So when I look at the traffic assumptions and
25 the parking assumptions, I just think that they're incomplete.

1 And the gentleman who spoke from Buchanan Street, he's
2 exactly right about all of that pressure now that is going to be
3 on that Decatur side alley which is very narrow. And I know in
4 the DDOT memo, they stated that one of the things they want for
5 the traffic plan for the applicant is to have Crittenden Street
6 lose some spaces so that they can upgrade that intersection. But
7 I notice what's going to happen is Crittenden Street is going to
8 lose some spaces, 14th Street is going to lose some spaces, and
9 to be able to have space for trucks to come in and out in that
10 super narrow alley on Buchanan Street, off Buchanan, they're
11 going to have to bump out those curbs and take spaces off
12 Buchanan, because there's no way a truck is coming out of that
13 alley and turning on Buchanan. It's very, very narrow. And I
14 just think that those are things that aren't considered when you
15 look at the fact that you don't have the full traffic scope of
16 what goes on in this neighborhood.

17 And also, in terms of more programing that will go on
18 now at the dance studio, they have programing for children. And
19 I've -- I see it. Parents come, and they park on 14th, or they
20 park on Crittenden, or they park on Buchanan, and then they take
21 their kids there. So you're talking about a 200-seat auditorium
22 with people who -- with kids who are going to come with their
23 parents. So it's going to be a very different traffic and parking
24 situation that will be -- it will be very difficult for people,
25 because you're going to have an increase in trips. And now you

1 talk about having an alley with the increase in trips where, you
2 know, you may have people who loiter there, but you don't have
3 the car traffic that comes out like it is.

4 So to close, this project, I think, in its current form
5 is severely -- going to have a severely negative impact on an
6 already really challenging parking situation on the surrounding
7 blocks, and it's going to have a negative impact in terms of the
8 traffic, especially looking at the traffic and parking
9 assumptions without WMATA online. The density of this project
10 is too much for the neighborhood that I've enjoyed living in my
11 entire life. I respectfully urge the Zoning Commission to reject
12 this PUD application and map amendment application in its current
13 size, scale, and format. The proposed project will have an
14 adverse impact on the neighborhood, and I urge the Zoning
15 Commission to send the applicant back to the drawing board to
16 come up with a project that respects and incorporates the existing
17 scale and character of this neighborhood. Thank you, and I
18 appreciate your time.

19 CHAIRPERSON HOOD: Okay. Thank you both. I know that
20 time is getting of the essence, but I want to ask -- and I'm sure
21 I want to ask the party in opposition the same thing. So, Ms.
22 Butler, and Ms. Waldeck, let me just ask you a question. And
23 you can give me a sound bite answer.

24 MS. BUTLER: Sure.

25 CHAIRPERSON HOOD: The question is, so somebody is

1 still on mute, because I'm hearing myself. And I know if I hear
2 myself, I know (audio interference). Okay. But I --

3 COMMISSIONER MAY: It looks like it's coming from
4 Ms. Waldeck.

5
6 CHAIRPERSON HOOD: Ms. Waldeck? Okay. There you go.

7 So once we finish, I'm going to ask Ms. Waldeck and
8 Ms. Butler to respond to this. So the Zoning Commission, we are
9 constantly beat up on -- I don't know why I'm getting this
10 feedback. I'm moving back. Anyway, we're constantly.

11 MS. SCHELLIN: He has unmuted again.

12 CHAIRPERSON HOOD: Ms. Waldeck, could you mute, because
13 I can --

14 MS. WALDECK: Mute?

15 CHAIRPERSON HOOD: Yeah, there you go.

16 The Zoning Commission is constantly beat up on about
17 affordable housing. And we've heard tonight in the testimony
18 -- and we -- this is not our first time about affordable housing
19 units and getting deeper affordability to the MFI down to 30
20 percent of what we had here tonight. I think it's a textbook
21 case of some of the things that we have been pushing for. So on
22 one hand, the Zoning Commission gets beat up on about affordable
23 housing and not doing more. On the other hand, now I'm hearing,
24 in some cases, can we do it somewhere else? Can we do it somewhere
25 else? But right now, the offer is not anywhere else. The offer

1 is here. And if you meet the Zoning Code and you meet the
2 specifics to our regulations, then we're basically duty-bound to
3 look at all adverse impacts and things that we look at and make
4 sure the -- what -- what's being requested, the amenities that's
5 being provided. We have a number of different things in the file
6 that we're looking at.

7 So I'm just -- if you were in my position or our
8 position, and you had all those competing interests coming at
9 you, and I know, you know, there's some other people that are in
10 different positions, and we're going to hear that from, I guess,
11 the party in opposition. How would you deal with that?

12 Now, give me -- Ms. Waldeck, give me a quick sound
13 bite. And I'm going to ask Ms. Butler to give me a sound bite.
14 And I think I want to go back to Commissioner Campbell's
15 testimony. He looked at all -- he evaluated all that, and that's
16 how he got to that conclusion, which I think is spectacular. So
17 I'm asking if you were a voting member of the Commission, and
18 you had all these entries, a city that's trying to push affordable
19 housing. We have a project that gets there. But you're saying
20 maybe moving it somewhere else or do something. But it's not
21 proposed anywhere else. And it meets the Comp Plan and some
22 other things. So help me. How would you handle it?

23 MS. WALDECK: Well, I think it's hard, because it's not
24 just affordable housing. If you just had affordable housing
25 there, you could probably lower the building and meet that

1 minimized square footage thing. You know, this is a more complex
2 project, where you have a theater and studios taking up like two
3 floors of the building, in addition to the affordable housing.
4 I guess my feeling is if there was another affordable housing
5 project, my understanding is there's a lot of different projects
6 competing for D.C. taxpayer money. And if there's one that's
7 just a simple, basic, affordable housing residence some place
8 without this Dance Loft theater thing in it, I would probably
9 -- I mean, if I were in charge of DCHD, or whatever that
10 organization is that decides the tax subsidies, I would probably
11 prefer that over a much more complicated building, where you're,
12 you know, you're marrying an arts performance space with the
13 affordable housing. I just think potentially -- I mean, as
14 somebody who represents people who live in public housing, you
15 wouldn't believe how horrible some of the public housing is in
16 D.C. And it is that way, because D.C.'s Housing Authority doesn't
17 have enough money from HUD and from taxpayer dollars to maintain
18 it and repair the leaks. And so this looks like an expensive
19 building to me. And I know it's not you're concern about
20 operating costs and everything, but I think a more simple project
21 was really just apartment building with a lot of affordable
22 housing would be an easier choice. I mean, I would think.

23 CHAIRPERSON HOOD: I appreciate that, Ms. -- I
24 appreciate that, Ms. Waldeck.

25 MS. WALDECK: This is -- you know,

1 CHAIRPERSON HOOD: Ms. Waldeck --
2 MS. WALDECK: Because, I mean for one thing --
3 CHAIRPERSON HOOD: MS. Waldeck?
4 MS. WALDECK: -- the -- you have the same entrance --
5 CHAIRPERSON HOOD: Ms. Waldeck --
6 MS. WALDECK: -- from the street.
7 CHAIRPERSON HOOD: Ms. Waldeck? Ms. Waldeck?
8 MS. WALDECK: Yeah?
9 CHAIRPERSON HOOD: I appreciate your comments.
10 MS. WALDECK: Sorry.
11 CHAIRPERSON HOOD: I want to have a conversation, you
12 know, I want a sound bite. But I appreciate that. But I already
13 know that there are costs that come into this. So, you know,
14 from what I'm hearing you ask -- well, I'm having -- I'm not
15 disagreeing with you, I'm just having a conversation with you so
16 I can come up with a better outcome. That's my goal. But I hear
17 what you're saying. But I also know when you start lessening
18 the density, you start shutting -- taking floors off, and it
19 becomes not -- to a point where the project is viable to lower
20 the rates. So we either lower the rates, add more density or we
21 up the rates, take it out of the affordable market and then have
22 the type of building which you think probably should go there.
23 Now, I get you, and we're not disagreeing. I'm just trying to
24 figure out with all these competing factors, how do we get there,
25 or can we get there? What do we want? Do we want affordable

1 housing, or do want a small government higher MFI? No, I think
2 the city has been clear -- has been very clear with the Comp
3 Plan. We want affordable housing. And yes, churches as well in
4 the city, because their tithes and offerings are down, have gotten
5 into the development business to offset their tithes and
6 offering. Dance Loft -- and I'm not taking anybody's case,
7 obviously, is doing this, because they're trying to offset, and
8 everybody's trying to offset. But we're getting affordable
9 housing now. So I'm just -- I'm thinking out loud and talking
10 out loud. You don't necessarily have to respond.

11 But Ms. Butler, if you want to respond to that, you
12 can. If not, I will ask my colleagues if they have any questions
13 or comments.

14 MS. BUTLER: Yes. Yes. I would like to respond. I
15 very much see what you're saying, but I also think that, in terms
16 of having zoning on the books, having zoning regulations on the
17 books isn't the first start for zoning to protect or respect the
18 neighborhood it's in? And that's where I'm coming from, in terms
19 of having something this intense be shoehorned -- shoehorned
20 right within all these R-1 houses, just shoehorned right in.
21 It's not something that's down the street. It's not something
22 that's across. It's shoehorned. And it's going to have a huge
23 impact to people's daily lives. So -- is the purpose of having
24 zoning regulations to protect the neighborhood or at least try
25 and respect and incorporate the neighborhood's character in with

1 the decision you make? And that's -- I won't take up any more
2 of your time.

3 CHAIRPERSON HOOD: Thank you. I really appreciate the
4 conversation with both of you. But also, I'm going to also throw
5 that question on Mr. Donohue to those who are really impacted,
6 because I think through all that resolve, hopefully we can come
7 up -- everybody's not going to be happy, whatever outcome. But
8 I always try to get as close as possible with as many as possible
9 to lessen the gap.

10 So let me see, Commissioner May, do you have any
11 questions or comments?

12 COMMISSIONER MAY: No, I do not have any questions or
13 comments. Oh, wait a minute. I actually did have one. I'm
14 sorry.

15 MS. Butler, can you tell me again what your address
16 was?

17 MS. BUTLER: I live at 1407 Crittenden Street. I'm 200
18 feet from this development. So if I stand on my porch, I can
19 see the back northern wall of the side of the -- of 4618. So I
20 can see --

21 COMMISSIONER MAY: So you're on -- you're not backed
22 up to the --

23 MS. BUTLER: No, I'm not an abutting neighbor, but I
24 look right across to it. But I also know that, you know --

25 COMMISSIONER MAY: That's the only question. Thank

1 you.

2 MS. BUTLER: Thanks.

3 CHAIRPERSON HOOD: Okay. Thank you.

4 Commissioner Imamura, any questions, or cross,
5 questions?

6 COMMISSIONER IMAMURA: No questions, Mr. Chair.

7 CHAIRPERSON HOOD: Okay, thank you.

8 Vice Chair any questions?

9 VICE CHAIR MILLER: No questions.

10 Just want to thank this panel and the previous panels
11 that I didn't thank specifically, including Pastor Eustis from
12 the Chrysler (sic) Lutheran Church for all her work with Housing
13 Up in the community there.

14 CHAIRPERSON HOOD: Okay. I too want to thank Ms. Butler
15 and Ms. Waldeck. Appreciate you and all engaging me in that
16 conversation. Very helpful. Thank you.

17 Ms. Schellin, and let me look at my colleagues. It is
18 now 9:30. Let me hear what others have to say. I'll be ready,
19 but let me hear what others have to say.

20 COMMISSIONER MAY: I think you know what I think so.
21 I'd be very happy to continue this on Thursday -- next Thursday
22 when I'm a little less tired.

23 CHAIRPERSON HOOD: Okay. And I'm not going to act
24 grumpy. No, I'm just kidding.

25 Commissioner Imamura?

1 Because that probably happens with all of us when we
2 get tired.

3 COMMISSIONER IMAMURA: I would agree, Mr. Chairman,
4 that maybe Thursday might be best when everybody's fresh. And I
5 think we owe it to the party in opposition.

6 CHAIRPERSON HOOD: Okay.

7 And Vice Chair Miller. I guess -- well, it's split
8 really. Vice --

9 VICE CHAIR MILLER: I'm ready to move forward this
10 evening, but I know how cranky some of us get when we're tired.

11 CHAIRPERSON HOOD: All right. I think -- I'm thinking
12 we will also do the residents better justice if we were fresh.
13 So I think this has been very helpful to all of us tonight.

14 Ms. Schellin, could you announce the date, because I
15 don't want to get that messed up?

16 MS. SCHELLIN: Yes, sir. That would be Thursday,
17 May 12th at 4:30 p.m. If, for some reason, our meeting goes a
18 little longer, we'll start as quickly as we can after 4:30. But,
19 hopefully, we can start at 4:30.

20 CHAIRPERSON HOOD: We will be mindful that we are --
21 we only have three things. It should not take us until after
22 4:30 to get that done.

23 MS. SCHELLIN: Right.

24 CHAIRPERSON HOOD: So, Mr. Donohue, your team is all
25 ready for the 12th?

1 MR. DONOHUE: Yeah.

2 CHAIRPERSON HOOD: Okay.

3 MS. SCHELLIN: And that's the -- I just want to announce
4 that the opposition team has 68 minutes. They went -- the
5 applicant went over eight minutes. We were keeping time.

6 MR. DONOHUE: The hiccup time.

7 CHAIRPERSON HOOD: The hiccup minutes. Yeah, that's
8 what they are.

9 MS. SCHELLIN: With hiccups, yes.

10 MR. DONOHUE: Yeah. Okay.

11 MS. SCHELLIN: 68 minutes.

12 MR. DONOHUE: Thank you.

13 CHAIRPERSON HOOD: So with that, this hearing will be
14 continued to May the 12th at 4:30, or as close to 4:30 as
15 possible. It may be 4:40. But either way, as soon as we finish
16 our meeting, we will start this hearing.

17 MS. SCHELLIN: Yeah.

18 CHAIRPERSON HOOD: All right. So I want to thank --

19 MS. SCHELLIN: And Mr. --

20 CHAIRPERSON HOOD: Yes.

21 MS. SCHELLIN: If Mr. Donohue could make sure that his
22 witnesses are signed up to testify, because that's how they take
23 the oath. I don't know if your witnesses have signed up or not.
24 I -- so if you could make sure that they are registered to
25 testify, that is, like I said, how they take the oath now.

1 MR. DONOHUE: We sure will.

2 MS. SCHELLIN: Thank you.

3 CHAIRPERSON HOOD: And let me also just thank Mr.
4 Donohue's party in opposition. They waited until 9:30 and didn't
5 go. So I appreciate you tolerating that. We want to make sure
6 we're fresh, and we'll deal with this on Thursday. But I want
7 to send our thank you out for hanging around and we didn't get
8 to you. But we will get to you for sure on Thursday the 12th at
9 4:30 --

10 MR. DONOHUE: Yes, sir.

11 CHAIRPERSON HOOD: -- or close to it.

12 Okay. Anything else? All right --

13 MS. SCHELLIN: And Mr. Campbell will be back with us
14 to -- for cross-examination purposes also.

15 CHAIRPERSON HOOD: Right. So everybody will be doing
16 --

17 MR. DONOHUE: Don't put anything else on my schedule.

18 CHAIRPERSON HOOD: Okay.

19 MS. SCHELLIN: Okay.

20 CHAIRPERSON HOOD: All right. So with that, I'll see
21 everybody Thursday. Goodnight, and thank you.

22 MR. DONOHUE: Goodnight.

23 MS. SCHELLIN: Goodnight.

24 COMMISSIONER MAY: Goodnight.

25 (Whereupon the above-entitled matter went off the

1 record at 9:30 p.m.)
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C E R T I F I C A T E

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In the matter of: Public Hearing

Before: DCZC

Date: 05-05-2022

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